

# FEDERAL REGISTER

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*Washington, Thursday, January 4, 1945*

## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter II—War Food Administration (Commodity Credit)

[Supp. Announcement 3]

#### PART 295—DISPOSAL OF SURPLUS AGRICULTURAL COMMODITIES FOR EXPORT

#### SUPPLEMENTAL ANNOUNCEMENT TO TERMS AND CONDITIONS OF COTTON SALES FOR EXPORT PROGRAM

The Terms and Conditions of Cotton Sales for Export Program (1944 CCC Cotton Export Form 1) is hereby amended in the following respects:

A. Paragraph 6 is deleted and the following paragraph is substituted in lieu thereof:

6. *Storage charges.* Commodity Credit Corporation shall pay direct to the warehouseman all storage charges on cotton purchased from the Corporation's stocks through the date the sight draft, with warehouse receipts attached, is presented to the exporter for payment.

B. Paragraph 26 is added as follows:

26. *Freight bills.* The exporter shall either pay to Commodity Credit Corporation the refund value of freight bills held by the Corporation to the extent of the bales delivered to the exporter which were shipped by rail to the warehouses where stored at the time of delivery, based on reshipment of such bales to Greenville, South Carolina, as representative of Carolina Group B, or furnish the Corporation with outbound bills of lading, properly endorsed and covering the identical cotton sold or its equivalent in transit value, to ultimate destination routed via the line designated by the Corporation. Said bills of lading must be furnished the Corporation within six months after delivery of the warehouse receipts to the exporter, otherwise the exporter shall honor a 3-day Sight Draft with freight bills attached for the amount specified above.

If the cotton is stored at a port when sold to the exporter, the foregoing provisions of this paragraph 26 shall not be

applicable where the exporter furnishes the Corporation a copy of on board ocean bill of lading evidencing exportation of the cotton from the same port.

C. Paragraph 5 is amended by the addition of the following subparagraph (d)

(d) *Day notice is received.* If the Corporation receives notice of the export sale of cotton on a Sunday, a holiday, or a day when business is not being transacted on the 10 spot markets, for the purposes of this paragraph the next following day on which business is being transacted on the 10 spot markets shall be the day on which the Corporation received notice of such sale.

Dated this 2d day of January 1945.

[SEAL]      COMMODITY CREDIT CORPORATION,  
By C. C. FARRINGTON,  
Vice President.

Attest:

NORME J. FAUBLE,  
Assistant Secretary.

[F. R. Doc. 45-115; Filed, Jan. 2, 1945;  
3:26 p. m.]

### TITLE 32—NATIONAL DEFENSE

#### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under cco. 2 (a), 54 Stat. 678, as amended by 55 Stat. 230 and 55 Stat. 177; E.O. 8024, 7 F.R. 323; E.O. 8040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 903—DELEGATIONS OF AUTHORITY [Directive 27, as Amended Jan. 3, 1945]

#### PRIORITIES ACTION BY THE FOREIGN ECONOMIC ADMINISTRATION

§ 903.139 *Directive 27—(a) General rating authority.* (1) The Foreign Economic Administration may assign preference ratings up to and including AA-3 to the delivery, for export, of the following material:

(i) Any material included on any single application (other than Form FEA-471) if all of the material rated

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#### NOTICE

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on the application has an aggregate value of less than \$2500; and

(ii) Any material applied for on Form FEA-471 which is classifiable under a single Department of Commerce Schedule B Number, if all of the material classifiable under the same Schedule B Number has an aggregate value of less than \$2500.

(2) As an exception to the rating authority given in subparagraph (1) ratings may not be assigned under subparagraph (1) to the following:

(i) Any material as to which there is in effect, at the time the application is acted upon, a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board which establishes an approved

quantity for the Foreign Economic Administration, except where and to the extent that the Program Determination or Decision specifically states that the rating authority given by this paragraph (a) may be used;

(ii) Any material as to which an applicable regulation or order of the War Production Board provides that ratings for it may not be obtained on Form WPB-541,

(iii) Any material covered by an application which appears to the Foreign Economic Administration to have been subdivided for the purpose of bringing the application within the rating authority given by this paragraph (a), or

(iv) Any material which the Program Vice Chairman (by specific action or through a Program Determination or an approved Decision of a Division Requirements Committee) may except from the rating authority given by this paragraph (a)

(3) In assigning ratings under this paragraph (a), the Foreign Economic Administration shall follow such processing instructions as the Program Vice Chairman may prescribe from time to time. Furthermore, the rating policies set forth in Program Determination No. 319 (Revised) and Program Determination No. 500-B (and in their amendments and superseding Program Determinations) must also be followed. (For example, material which is required by Program Determination No. 500-B to be rated lower than AA-3 on a domestic application must be assigned the lower rating on a comparable export application.)

(b) Other rating authority. In addition to the rating authority delegated by paragraph (a), the Foreign Economic Administration may assign preference ratings in the following cases:

(1) The Foreign Economic Administration may assign preference ratings to the delivery of material for export to the extent authorized by a Program Determination of the Requirements Committee or an approved Decision of a Division Requirements Committee of the War Production Board, as transmitted to the Foreign Economic Administration by the War Production Board.

(2) The Foreign Economic Administration may assign preference ratings for Class A products (as defined in CMP Regulation 1) for export, but only subject to such instructions as the Program Vice Chairman may from time to time transmit to the Foreign Economic Administration.

(c) Form of assignment of ratings. The Foreign Economic Administration shall assign ratings under this directive by endorsement of a legend substantially as shown below, to which may be added any further provisions which conform to War Production Board orders or regulations and which are authorized by the program determination or approved decision: "Under authority of the War Production Board, delivery of the material referred to herein is assigned a pref-

erence rating of ----- Application and extension of rating shall be made in accordance with Priorities Regulation No. 3." The legend shall be endorsed on the export license (including release certificate where used) or on the Lend-Lease requisition or commitment letter to the procuring agency in the case of material being procured by or on behalf of the Foreign Economic Administration, or on other appropriate instrument approved for this purpose by the War Production Board. However, in the case of the assignment of ratings for Class A products on Form CMPL-150 (FEA) no legend other than that appearing on the printed form is required.

(d) *General provisions.* (1) The Foreign Economic Administration may exercise the authority delegated in this directive through such of its officials as the Administrator of the Foreign Economic Administration may determine.

(2) The Foreign Economic Administration shall make to the Program Vice Chairman such monthly reports on the exercise of the authority granted by this directive as the Program Vice Chairman shall require from time to time.

(3) A true copy of every document on which a preference rating is assigned pursuant to the provisions of this directive shall be maintained by the Foreign Economic Administration for inspection by a representative of the War Production Board at any time.

(e) *Revocation of Priorities Directive No. 3.* Priorities Directive No. 3 is hereby revoked effective January 1, 1944.

(f) [Revoked Jan. 3, 1945.]

(Sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 3d day of January 1945.

S. W. ANDERSON,  
Program Vice Chairman.

#### INTERPRETATION 1

##### EFFECT ON OUTSTANDING RATINGS

Priorities Directive 3 was revoked by Directive 27 effective January 1, 1944. At the same time Order M-148 was also revoked. Nevertheless, ratings assigned by the Foreign Economic Administration (or its predecessors, the Board of Economic Warfare and the Office of Economic Warfare) before that date may still be applied and extended. § 944.4 (a) of Priorities Regulation 1, regarding the effect of revocation of a preference rating order, does not apply since the ratings were not assigned by those instruments but by the Foreign Economic Administration or its predecessors under specific authorizations from the War Production Board, which remain in effect. The method of application and extension is now provided by Priorities Regulation 3. (Issued Feb. 25, 1944.)

#### INTERPRETATION 2

##### LENGTH OF VALIDITY OF RATINGS ASSIGNED ON EXPORT LICENSES

A rating assigned by the Foreign Economic Administration, under the authority of Directive 27, by endorsing the required legend on an export license is valid for the life of the export license in the absence of any ap-

plicable rule or restriction set forth in an order or regulation of the War Production Board governing transactions in the material covered by the rating. This means that the rating must be applied and the material covered by the rating must have been delivered to the holder of the export license before the expiration of the life of the license. Otherwise, the procedure applicable when an individually assigned rating is revoked, provided in § 944.4a of Priorities Regulation 1, will be deemed applicable. On the other hand, if the rating has been applied and the material to which it has been applied has been delivered before the expiration of the life of the export license, its subsequent expiration will not affect the right of the supplier to extend the rating in order to replenish his inventory. Such extension is, of course, subject to the provisions of paragraph (h) (1) of Priorities Regulation 3.

Revocation of an export license on which a rating has been assigned by the Foreign Economic Administration revokes the rating, and § 944.4a of Priorities Regulation 1 is consequently applicable. Extension of the life of an export license, on the other hand, extends the period for which a rating assigned on the export license is valid. (Issued July 5, 1944.)

[F. R. Doc. 45-169; Filed, Jan. 3, 1945; 11:50 a. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 16, as Amended Jan. 3, 1945]

##### PROCEDURE FOR APPEALING FROM WAR PRODUCTION BOARD ORDERS.

§ 944.37 *Priorities Regulation 16—(a) Purpose and scope.* This regulation states the procedure for appealing from all War Production Board orders, determinations and regulations except suspension orders. An appeal, as the word is used in this regulation, means a request for individual relief from action taken by the War Production Board, and does not include an initial application or request for an authorization, a preference rating, an allocation or any other administrative action expressly contemplated by the orders and regulations of the Board.

(b) *Where appeals are filed.* An appeal from an order appearing on List A of this regulation must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. Appeals from other orders containing Appeals clauses must be filed where the orders direct. Appeals from regulations and orders and other actions not appearing on List A and which do not contain Appeals clauses, should be directed to "Appeals Routing Unit, War Production Board, Washington 25, D. C."

As an exception to the foregoing provisions of this paragraph (b) a person who in connection with the subject matter of his appeal is also making an application on any form which he is instructed to file in a field office may, at his election, attach his appeal to the application and file both with the appropriate field office of the War Production Board.

(c) *Forms on which appeals are filed.* Unless otherwise specified all appeals must be in triplicate if filed in a field office, and in duplicate if filed in Washington. An appeal not in proper form may be returned to the appellant without action.

(1) *Statement of grounds for appeal.* Except in a case of an appeal from an order or regulation containing an appeals clause which specifies filing upon a particular form or by letter, an appeal must be filed on Form WPB-1477, referring to the provision appealed from and stating fully the grounds for the appeal.

(2) *Statement of manpower requirements.* Unless the Appeals clause of an order or regulation specifically provides otherwise, every appeal from an order or regulation filed after October 15, 1944, must be accompanied by a Statement of Manpower Information on Form WPB-3820 where a grant of the appeal, whether in whole or in part, would result in an increase over current production of any product by the person making the appeal or would result in new production of a product not now being produced by him. However, if such person will also apply to make the product, for which the appeal is filed, under CMP Regulation 1, Priorities Regulation 11B, or Priorities Regulation 25; or will apply on Form WPB-617 for an authorization to construct facilities required to produce the product for which the appeal is filed, Form WPB-3820 need not be filed with the appeal. When Form WPB-3820 is filed with an appeal on Form WPB-1477, Questions D-2 and D-3 on Form WPB-1477 need not be answered.

If the appeal is from a manufacturing restriction and the appellant himself will not make the product to which the appeal relates, the Form WPB-3820 (or letter described below) must be prepared and signed by the person who will make such product; or if the appeal is from other than a manufacturing restriction and the appellant will not use the product to which the appeal relates, the Form WPB-3820 (or letter described below) must be prepared and signed by the person who will use the product.

In any case where Form WPB-3820 is not required by this paragraph, the appeal must be accompanied by a letter stating that (i) no increase by him over current production of any product, and no new production of a product not now produced by him will result from the granting of the appeal, or (ii) an application covering the proposed product is being made under CMP Regulation 1, Priorities Regulation 11B, Priorities Regulation 25, or that an application for an authorization to begin construction is being made on Form WPB-617.

(d) *Grants.* The grant of any appeal in whole or in part will be issued in the name of the War Production Board, countersigned or attested by the Executive Secretary or Recording Secretary,

in accordance with WPB Regulation No. 1 (§ 903.0) The grant will show the official or the organizational unit on whose recommendation the action was finally taken, by a phrase such as "on the recommendation of the Appeals Board" or "on the recommendation of the Administrator of Order \_\_\_\_."

(e) *Denials*. When an appeal is denied in all respects, the letter of denial will be signed by the official or organizational unit responsible.

(f) *Reconsideration of denials*. If an appellant whose appeal has been denied in whole or in part wishes the appeal to be reconsidered he should request such reconsideration by letter directed to the official or organizational unit responsible for the denial or, in the case of an appeal granted in part and denied in part, the official or organizational unit named in the grant as having recommended it. Every denial of an appeal may be reconsidered except that:

(1) The denial of any appeal, in whole or in part, by or on the recommendation of the Appeals Board, shall be final.

(2) The denial of an appeal from an "R" order by or on the recommendation of the Office of Rubber Director, and the denial of an appeal from a "U" order by or on the recommendation of the Office of War Utilities, shall be final.

(3) The denial of an appeal from action taken on an application for an authorization, a preference rating, an allocation or other administrative action, by or on the recommendation of the division of the War Production Board having jurisdiction of the subject matter of the application, shall be final.

(4) The denial of an appeal from an order directed to an individual and not of general applicability, by or on the recommendation of the division of the War Production Board having jurisdiction over the subject matter of the appeal, shall be final.

A final denial of an appeal may be reconsidered only if the official or the organizational unit responsible for the denial elects to reopen the case.

(g) *Public files*. Whenever an appeal has been granted, a public file shall be set up, consisting of the following:

(1) All papers filed by the appellant in support of the appeal.

(2) A memorandum containing the final recommendations of each organizational unit of the War Production Board which has considered the appeal.

(3) A transcript of the record of any public hearing held with respect to the appeal (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained)

The file shall be available for the public inspection at any time during the business hours of the War Production Board. This paragraph shall not apply to appeals first filed before October 7, 1943.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

NOTE: List A amended Jan. 3, 1945.

E-1-b	L-158
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L-150	M-294
L-150-a	M-311
L-157 Sch. 1-5	

[F. R. Doc. 45-188; Filed, Jan. 3, 1945;  
11:50 a. m.]

#### PART 3290—TEXTILES, CLOTHING AND LEATHER

[Limitation Order L-99, Revocation of Direction 1]

Direction 1 to Limitation Order L-99 is hereby revoked.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-186 Filed, Jan. 3, 1945;  
11:50 a. m.]

#### PART 3291—CONSUMERS DURABLE GOODS [Supplementary Limitation Order L-7-c, Schedule X]

##### DOMESTIC ICE REFRIGERATORS

§ 3291.26 *Schedule X to Limitation Order L-7-c*. Pursuant to Limitation Order L-7-c:

The following production quotas for domestic ice refrigerators are established for the period from January 1, 1945 through March 31, 1945, inclusive. During that period each manufacturer listed is authorized to make the number of domestic ice refrigerators set forth below opposite his name. Manufacturers listed may make the refrigerators only in their own plants at the location set forth opposite their respective names. Manufacturers listed may not make more domestic ice refrigerators than the number opposite their names, even for orders bearing preference ratings. All domestic ice refrigerators made by each manufacturer must be included in the quotas assigned in this schedule.

Notwithstanding paragraph (b) (3) of Limitation Order L-7-c, no applications for production quotas for the manufacture of domestic ice refrigerators, in the first calendar quarter of 1945, will be considered after January 15, 1945. Increased production quotas to manufacturers already listed on this schedule, or additional production quotas to other manufacturers who qualify before January 16, 1945, may be assigned in writing after that date.

The production quotas assigned in this schedule and additional authorizations which may be issued in writing after January 15, 1945 to qualified manufacturers, are being and will be authorized within the approved War Production Board program wherever production will not require materials, components, facilities, or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes. Authorizations will not depend upon applicants having been engaged in the production of domestic ice refrigerators at some previous time.

Company and location	Units
Arctic Refrigerator Co., Brooklyn, N. Y.	3,537
Atkins Table & Cabinet Co., Brooklyn, N. Y.	1,174
Brunswick Refrigerator Co., Brooklyn, N. Y.	2,205
Doherty-Stirling, Inc., Baton Rouge, La.	164
Dratch's Victory Refrigerator Box, Brooklyn, N. Y.	1,624
Fy-Doro Metal Products Co., Brooklyn, N. Y.	4,347
Ice Cooling Appliance Corp., Morrison, Ill.	16,171
Iceland Refrigerator Co., Brooklyn, N. Y.	2,103
King Refrigerator Corp., Brooklyn, N. Y.	2,365
Maine Manufacturing Co., Nashua, N. H.	9,900
Precision Metal Products Co., Brooklyn, N. Y.	575
Sanitary Refrigerator Co., Fond du Lac, Wis.	6,000
Stoddard Manufacturing Co., Mason City, Iowa	750
Ward Refrigerator & Mfg. Co., Los Angeles, Calif.	4,000

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-185; Filed, Jan. 3, 1945;  
11:50 a. m.]

**PART 3292—AUTOMOTIVE VEHICLES, PARTS  
AND EQUIPMENT**

[Limitation Order L-180 as Amended Jan. 1,  
1945]

**MATERIALS ENTERING INTO THE PRODUCTION  
OF REPLACEMENT STORAGE BATTERIES**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.51 *Limitation Order L-180—(a)*  
[Deleted Jan. 22, 1944]

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time, except where otherwise stated.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means an electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck-tractor, truck-trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8) (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20-hour rate 80° F.
Group	Group	
I	IV	80
I	IV	60
IS	IIH	100
IS		80
IS	2L	100
(E-116) (HE-125)	2ME	110
IIHF (Ford)		100
(II-112)	(2H-125) (2H-112)	110
IIH	3L	110
III	3M (3H-125)	120
	Special (12 Volt)	45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:



	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Mini- mum	Maxi- mum		Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum
For batteries with double insulation									
Size A.....	155	165	0	16	16¾	7¼	7¾	9¼	11
Size B.....	195	220	6	19¾	20¼	7¼	7¾	9¼	11
Size C.....	235	245	6	22¾	23½	7¼	7¾	9¼	11
Size D.....	385	395	6	21¾	22	10¼	10¾	12	12¾
Size E.....	95	105	12	17½	18	7½	8	9¼	11
Size F.....	95	105	12	19¼	21¼	7¼	7¾	9¼	11
Size G.....	115	125	12	20¼	21½	8½	9	9¼	11
Size H.....	135	145	12	20¼	21½	9	10	9¼	11
Size I.....	155	165	12	20¼	21½	10¼	11¼	9¼	11
For batteries with single insulation									
Size J.....	195	205	6	16	16¾	6¾	7¾	9	10¾
Size K.....	335	345	6	25	25½	7¼	7¾	9¼	11¼
Size L.....	140	155	12	20¼	21¼	8¼	9	9¼	11
Size M.....	150	170	12	20¼	21½	9	10	9¼	11
Size N.....	180	205	12	20¼	21½	10¼	11¼	9¼	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand on August 29, 1942, *Provided*.

(i) No additional material is required;

(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) Restrictions on production of replacement batteries for passenger automobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles. No producer shall manufacture during the first calendar quarter of 1945 automotive replacement storage batteries in excess of the number of such batteries legally manufactured by him during the fourth quarter of 1944 under the provisions of Order L-180, as amended August 31, 1944, (including the number of such batteries manufactured pursuant to any grant of appeal or other written authorization of the War Production Board)

(g) Restrictions on inventories of producers of automotive replacement batteries. (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) General restrictions—(1) Return of used batteries. On and after August 29, 1942, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (1) shall not apply to any

Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(2) Consumer's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form.

#### Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery which to the best of my knowledge, cannot be economically reconditioned; and (c) I will within thirty days after receiving the replacement battery here ordered dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) \_\_\_\_\_  
Vehicle Owner or Operator

Address \_\_\_\_\_  
Date \_\_\_\_\_

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(3) Electric fence user's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell or deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that the consumer purchases the battery for use in connection with an electric fence or other piece of farm machinery which had formerly been operated in whole or in part by dry cell batteries, and provided further that the producer or distributor secures from the consumer for each purchase order

(or written confirmation thereof if such order is placed by telephone or telegraph) the consumer's signature to a certificate, to be supplied by the producer or distributor in the following form:

#### Electric Fence or Farm Equipment User's Certificate

I hereby certify that the battery purchased by me under this date is for use in connection with an electric fence or other farm equipment; that I have previously not used a storage battery for this purpose and, therefore, have no used battery to turn in.

(Signed) \_\_\_\_\_  
Purchaser

Address \_\_\_\_\_

Date \_\_\_\_\_

(i) Metal-containing parts of used, traded-in, imperfect or condemned batteries to be disposed of as scrap in 30 days. No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels. The provisions of this paragraph shall not apply to distributors located in Alaska, Hawaii, Panama Canal Zone, Porto Rico or the Virgin Islands.

(j) Exceptions to applicability of this order. The limitations and prohibitions contained in this order shall not be applicable to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act)

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) [Deleted Aug. 31, 1944.]

(l) [Deleted Aug. 31, 1944.]

(m) Reports. On or before the 25th day of January, the 15th day of April, July and October 1944 and the 15th day of January 1945, each producer shall execute and file with the War Production Board Form WPB 2163 (PD 765) reporting for each of his plants, with the address of each, the shipments of automotive replacement storage batteries made during the preceding calendar quarter

from each plant. These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(o) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person who wants to produce more automotive replacement storage batteries than the amounts permitted under paragraph (f) (including a person who is not permitted to make any under this order) may apply for permission to do so as explained in Priorities Regulation 25. The restrictions of paragraph (g) relating to inventories do not apply to automotive replacement storage batteries authorized under Priorities Regulation 25.

(2) *Appeals.* An appeal from the provisions of this order other than the restrictions of paragraph (f) may be made by filing a letter in triplicate with the field office of the War Production Board for the district in which is located the plant or branch to which the appeal relates, referring to the particular provisions appealed from and stating fully the grounds for appeal. No appeal should be filed from the restrictions of paragraph (f).

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

Issued this 1st day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-40; Filed, Jan. 1, 1945;  
4:17 p. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 67 as Amended Jan. 2, 1945]

##### PHTHALIC ANHYDRIDE

§ 3293.1067 *Schedule 67 to General Allocation Order M-300—(a) Definition.* "Phthalic anhydride" means the anhydride of phthalic acid in any form and from any source.

(b) *General restrictions.* Phthalic anhydride is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allo-

cation date is October 1, 1942, when phthalic anhydride was first put under allocation by Order M-214 (revoked). The allocation period is the calendar month and the small order exemption is 10 pounds per person per month. All stocks of phthalic anhydride are subject to this schedule, notwithstanding the consumers' stocks exemption of Order M-300 (paragraph (n)).

(c) *Transition from M-214.* Regular and interim allocations heretofore issued under Order M-214 are effective under this schedule, but are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(d) *Suppliers' applications on WPB-2946.* Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 22d day of the month before the requested allocation month. File separate sets of forms for each plant of applicant. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-67. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) *Customers' applications on Form WPB-2945.* Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-67, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. Fill in Column 3 in terms of the following:

Esters (identify).  
Resins (identify).  
Dyes and intermediates (identify).  
Cellophane.  
Rubber.  
Phthalic chloride.  
Pharmaceuticals and food.  
Miscellaneous.  
Other primary product (specify).  
Export (as phthalic anhydride).  
Inventory (as phthalic anhydride).  
Resale (as phthalic anhydride).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I and fill in Tables II and III, as indicated.

Fill in Table IV for each primary product listed in Column 3 of the application, except products under direct allocation, such as phthalic alkylid resins. In Table V specify quantity of phthalic anhydride used in previous month for each primary product (specify the product in Column 23 and the quantity in Column 24, under the heading "Pounds consumed last month").

(f) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) *Communications to War Production Board.* Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-67.

Issued this 2d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-116; Filed, Jan. 2, 1945;  
4:32 p. m.]

#### PART 3293—CHEMICALS

[Preference Rating Order P-59, as Amended Jan. 3, 1945]

##### MAINTENANCE, REPAIR AND OPERATING SUPPLIES

§ 3293.521 *Preference Rating Order P-59—(a) Definitions.* For the purpose of this order:

(1) "Producer" means any person operating a plant engaged in the production of chemicals or allied products, who shall have received a serial number from the War Production Board pursuant to paragraph (b).

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(3) "Controlled material" means controlled material as defined in CMP Regulation No. 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(6) "Operating supplies" means any material which is essential to the operation of the producer's plant including, but not limited to, lubricants, catalysts, safety equipment worn by employees, hand tools and small perishable tools: *Provided, however* That the term operating supplies shall not include:

(i) Any material which is physically or chemically incorporated, at any stage of production, in whole or in part, into any material which the producer manufactures.

(ii) Any material which, at any stage of production enters into the chemical reaction necessary to the manufacture, or is used in the purification (including, among other things, washes, solvents, extractants, filter aids, and the like) of any material which the producer manufactures.

(7) Material for maintenance, repair and operating supplies shall include:

(i) Material for the improvement (but not expansion) of the producer's plant through the replacement of material in the existing installation, but only when such equipment is beyond economical repair.

(ii) Material for the maintenance and repair of pressure cylinders.

(iii) Material, such as hand tools, customarily purchased by the particular

employer for sale to his employees for use only in his business, provided such material would constitute an operating supply under established accounting practice if issued to employees without charge.

(iv) Material for maintenance, repair and operating supplies for general offices, branch offices, sales rooms and other facilities essential to the conduct of the business.

(8) In addition, there may be included as maintenance, repair and operating supplies minor capital additions, the costs of which do not exceed \$500 each, excluding the P-89 producer's cost of labor and excluding cost of installation (installation material is covered by paragraph (a) (9)). No complete minor capital addition shall be subdivided for the purpose of coming within this definition.

(9) Blanket ratings or allotments assigned under this order may be used to obtain material required for rearrangement of an existing installation, for adaptation of an existing installation to a different process, or for installation of new machinery or equipment, if the cost of the required material (not including cost of used material) does not exceed \$1000 for each complete job.

(10) Ratings and allotments under this order may also be used to obtain materials for installation or relocation of machinery or equipment permitted by Direction 2 under Order L-41. Material obtained under this paragraph (a) (10) shall not be subject to the unit cost limitation of paragraph (d) (1) of this order, but shall be subject to the purchase order quota provisions of paragraph (d) (2).

(11) In addition, material for maintenance, repair and operating supplies may include material required to avoid losses of production below current rated capacity as a result of manpower losses by installation of labor-saving devices, but only when specifically approved upon application pursuant to paragraph (e) (1).

(12) "P-89 producer's cost of labor" means the cost of labor performed by employees of a producer registered under this order, and includes the labor cost of a contractor to the extent that the contractor's labor is performed on the premises of the producer.

(b) *Application for assignment of serial number* In order to become a producer subject to this order, any person operating a plant engaged in the production of chemicals or allied products, may apply by letter requesting assignment of a serial number under this order to specified plants. Such letter shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P-89, and shall be accompanied by application on Form WPB-1765.

For the purpose of this order a producer remains a producer from the time a serial number is granted to him until the time when the serial number is expressly revoked by the War Production Board.

(c) *Plants engaged in several activities.* (1) If a P-89 producer is engaged in several activities which are not covered by his serial number and it is impracticable to apportion plant requirements for maintenance, repair and operating supplies between activities covered by the serial number and those which are not, he may obtain and use maintenance, repair and operating supplies under P-89 for all of these activities only after approval of a special application by letter for extension of the P-89 serial number to cover the additional activities, or if permitted by the following paragraph (c) (2).

(2) A P-89 producer who is engaged for most of a year in production of items covered by his P-89 serial number may continue to obtain maintenance, repair and operating supplies during any limited period in which he is producing, pursuant to specific authorization of the War Production Board, items not covered by his serial number. This provision shall not apply, however, to production permitted under Priorities Regulation 25.

(d) *Assignment of preference rating, allotment symbol and purchase order quota.* (1) The blanket preference rating and allotment symbols under this order shall be those specifically assigned by the War Production Board to each producer on Form WPB-1765, and shall remain in effect until amended or revoked by the War Production Board. This rating may be applied for services to have the producer's plant, machinery or equipment repaired, as provided in Priorities Regulation 3. No producer shall apply the preference rating or allotment symbol assigned under this paragraph to any order for fabricated parts or material having a unit cost of \$1000 or more, excluding the P-89 producer's cost of labor. For the purpose of determining unit cost, an item shall not be subdivided into its component parts. Unit cost shall be computed on the basis of the cost of each item ordered, and not on the basis of the total cost to the P-89 producer for each particular operation requiring maintenance, repair and operating supplies. Applications must be made pursuant to paragraph (e) for preference ratings or allotment symbols for parts or material having a unit cost of \$1000 or more.

(2) (i) No producer shall place orders during 1945 for maintenance, repair and operating supplies costing more than 120% of the cost of the maintenance, repair and operating supplies which he ordered during 1943. This refers to orders without ratings or allotments (unless specifically for postwar delivery) and to orders with ratings or allotments assigned independently of this order (as on Form WPB-541, formerly PD-1A) as well as to orders with blanket ratings or allotments under this order, whether for straight maintenance, repair or oper-

ating supplies or for minor capital additions or for installation materials under paragraph (a) (8). However, orders for items having a unit cost over \$1000 (or over \$500 prior to July 29, 1944) approved upon application on Form WPB-1319, or similar forms are not included, nor orders approved under paragraphs (e) or (f) of P-89. Orders for items on Lists A and B of Priorities Regulation 3 may be disregarded if not counted among either 1943 or 1945 purchases.

(ii) The producer may calculate his 1943 purchases under this paragraph on the basis of his normal accounting practice or on the basis of doubling the estimated dollar value of the quotas specifically assigned to him under this order for the 3rd and 4th quarters of 1943, including revisions.

(iii) Each producer must count against his quota all his purchase orders for maintenance, repair and operating supplies placed during 1945, even though he may have registered under P-89 after January 1, 1945.

(iv) Application for revision of 1945 quota may be made on Form WPB-1765 as prescribed therein. Request should also be made for extension of the serial number when quota revision is made necessary by substantial enlargement of a P-89 plant.

(e) *Special applications.* (1) If the producer is unable to secure delivery of materials or services for maintenance repair or operating supplies, including Class A products, because the preference ratings or allotment numbers or symbols assigned hereunder are insufficient, or because the unit cost limitation would be exceeded, or because application must be made pursuant to paragraph (a) (11) for labor saving equipment, the War Production Board may, upon written or telegraphic request, assign such special ratings or allotments as it deems proper. Such letters or telegrams shall be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: P-89, and shall contain the following information:

1. Plant location and P-89 serial number.
2. Fabricated item(s) or controlled material(s) being ordered. Give controlled material weight(s) only when order is for controlled material(s) as such or when required in a Class A facility. When controlled materials are ordered specify in what quarter delivery is expected with requested rating, weight(s) for Class B fabricated item(s).
3. Value of order.
4. How will item(s) be used by you upon receipt of order?
5. (a) If a replacement, is the item a duplicate of the one being replaced? (b) Is it fabricated from the same material(s)? If not, explain the difference(s) in (a) and (b).
- (c) How old is the replaced item?
6. (a) Amount of such material (or equivalent substitute) in inventory. (b) In the case of processing equipment, how many units in service?
7. (a) What is the average life of the item(s) being ordered? (b) How many hours per week is it used?
8. Name and address of the supplier.
9. Purchase order number and date (if placed).



10. Principal end uses of product or products affected.

11. Actual curtailment of entire plant production now. In the case of applications under paragraph (a) (11), explain in detail manpower losses necessitating labor saving equipment of equivalent capacity.

12. Estimated curtailment of plant production if breakdown occurs before receipt of order.

13. Explain urgency of the order—is it for actual replacement on receipt, for inventory, or for expansion?

14. Requested rating and allotment.

15. Delivery date promised by supplier on basis of rating requested.

**NOTE:** When application is made for an AAA or for a delivery directive, the answer to this question should give the delivery dates promised for the lower rating and for the higher rating.

16. When application is made under paragraph (e) (1) for an AAA rating, or for an equivalent delivery directive, it is essential that the following information be added: All relevant purchase order numbers including the fabricator's job number; the delivery date promised on the basis of the requested special rating; and a list of all suppliers from whom quotations have been requested, together with their answers.

(2) If the request under paragraph (e) (1) above is for the kind of Class A facility covered by Direction 34 to CMP Regulation 1, the War Production Board will treat the request as an application under that direction and will, if the request is approved, assign a rating for the purchase of the facility and make an allotment on CMPL-150 of the controlled materials needed to make the facility. When a CMPL-150 is issued under this paragraph, the applicant and the manufacturer of the Class A facility should follow the procedure set forth in Direction 34 (paragraphs (e) and (f) in particular) to CMP Regulation 1, as if the CMPL-150 had been issued under that direction.

(f) *Special ratings for containers.* (1) Steel drums as defined in Limitation Order L-197, cans as defined in Conservation Order M-81, wooden or fibre containers as defined in Preference Rating Orders P-140 and P-146, glass containers as defined in the L-103 series of orders, and other containers (and container parts) specifically named in the list of examples under the general heading "Containers" in List B of Priorities Regulation 3, may not be obtained by blanket or special ratings under this order.

(2) Other containers may not be obtained by use of the blanket rating assigned under paragraph (d) of this order, but application may be made to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: Chemicals Packaging Section, for special preference ratings under this order. The application shall be filed by letter in duplicate or by telegram and shall specify:

1. Product to be packaged.
2. Plant location and P-89 serial number.
3. Number of containers requested.
4. Specification of container.
5. Other sizes of containers used to package the product.
6. Average number of containers shipped per month (of the size ordered).

7. What substitute containers have been used or could be used.

8. Inventory position of the requested containers, including both new and used containers, and those out on deposit.

9. Name of container supplier and applicant's order number.

10. Total value.

11. Rating requested.

12. Delivery date promised by supplier on the basis of rating requested.

(g) *Procedure for applying preference ratings and allotment numbers or symbols to purchase orders.* (1) Ratings or allotments assigned under this order may be endorsed on or attached to purchase orders in the following form, signed manually or as provided in Priorities Regulation 7:

----- (Preference Rating) -----	----- (Allotment number or symbol) -----
----- (P-89 Serial Number) -----	
Certified under P-89.	
----- (Name of purchaser) -----	----- (Address) -----
By -----	-----
(Signature and title of duly authorized officer)	(Address)

The certification provided in Priorities Regulation No. 7 may be used as an alternate procedure, provided the above information is added.

(2) An order bearing such certification shall be deemed an authorized controlled material order in the case of controlled materials, and in the case of all other materials shall have the same status as an order bearing an allotment number or symbol for the purposes of CMP Regulation No. 3 and all other applicable CMP regulations.

(3) No producer may apply the ratings assigned by or pursuant to this order to obtain delivery of the items set forth in Lists A and B attached to Priorities Regulation 3, as now or hereafter amended, except where the regulation permits the use of P-89 ratings for a particular item or where ratings are specifically assigned pursuant to paragraphs (e) or (f) of this order for specific kinds and quantities of List B items.

(h) *Inventory diversion.* (1) No producer shall use material for maintenance, repair or operating supplies obtained with ratings or allotment numbers or symbols assigned by or pursuant to this order, except in that portion of his facilities to which a serial number under this order has been assigned.

(2) However, material obtained with a P-89 blanket rating may be borrowed and used for purposes which are assigned lower ratings. This material may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Conversely, material which was not obtained under P-89 may be used for P-89 purposes and replaced for the original purpose by use of the P-89 rating. This provision supplements, and to the extent of any inconsistency supersedes § 944.11, paragraph (a) of Priorities Regulation I.

(i) *Inventory restriction.* No producer shall accept delivery of any non-controlled material for maintenance, repair

or operating supplies, whether or not obtained with preference ratings or allotment numbers or symbols assigned by or pursuant to this order, which would cause his inventory of such material for maintenance, repair or operating supplies to exceed a minimum practicable working inventory. Inventories of controlled materials held by producers are subject to the provisions of CMP Regulation No. 2.

(j) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time; *Provided, however* That no producer shall be subject to the provisions of CMP Regulations No. 5 or No. 5A, and no producer shall obtain any material under the provisions of either of said regulations. Privileges under other WPB regulations and orders granted to persons on Schedule A of CMP Regulation 5 may be considered as applicable to producers assigned an equal preference rating under this order provided there is no inconsistency with an express provision of this order.

(k) *Miscellaneous provisions—(1) Records.* In addition to the records required to be kept under Priorities Regulation No. 1, a producer placing any purchase order or contract rated or assigned a CMP allotment number or symbol hereunder, shall retain, for a period of two years, for inspection by representatives of the War Production Board, endorsed copies of such purchase orders or contracts, whether accepted or rejected, segregated from all other purchase orders or contracts, or filed in such manner that they can be readily segregated for such inspection.

(2) *Reports.* The War Production Board may require each producer to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to Federal Reports Act of 1942, and may issue special directions to any producer with respect to preparing and filing Form WPB-1765.

(3) *Budget Bureau approval.* The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to Federal Reports Act of 1942.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be

filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref. P-89.

Issued this 3d day of January 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

INTERPRETATION 1. Revoked July 29, 1944.

[F. R. Doc. 45-187; Filed, Jan. 3, 1945;  
11:50 a. m.]

## Chapter XI—Office of Price Administration

### PART 1314—RAW MATERIALS FOR SHOES AND OTHER LEATHER PRODUCTS

[MPR 145, Amdt. 9]

#### PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 145 is amended in the following respects:

1. In § 1314.165 (a) the following heading, brands and prices are added after the items listed under the heading "Swift La Plata":

#### Swift La Plata (Off Grades)

Sheep:	
No. 1.....	\$6.50
No. 2.....	5.50
No. 3.....	4.50
No. 4.....	4.00

2. In § 1314.165 (a) the following heading, brands and prices are added after the items listed under the heading "Swift Yale":

#### Swift Yale (Uruguayan)

Lambs:	
LG.....	\$5.00
BG.....	4.00
H.....	3.00
Reject "B".....	1.50
Reject "C".....	.50
Spring Lambs:	
LG.....	3.75
BG.....	2.75
H.....	2.25

3. In § 1314.165 (a) the following heading, brands and prices are added after the items listed under the heading "Anglo Argentine (Camps)":

#### Anglo Argentine (Consumo)

Sheep:	
First heavy.....	\$8.625
First light.....	7.125
Second heavy.....	7.75
Second light.....	6.50
Third.....	5.00
Rib.....	5.00
Fourth.....	4.00
Fifth.....	1.875
Second rib.....	3.00

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3746, 3889, 5771, 5835, 5848, 11074; 8 F.R. 5724; 9 F.R. 1595, 7936.

#### Anglo Argentine (Consumo)—Continued

Lambs (Regular)	
First large.....	\$7.50
First small.....	7.125
Second large.....	6.75
Second small.....	6.00
Third.....	5.50
Rib.....	4.75
Fourth.....	3.75
Second rib.....	2.75
Spring Lambs:	
Second.....	6.00
Third.....	4.50

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-178; Filed, Jan. 3, 1945;  
11:47 a. m.]

### PART 1334—SUGAR

[MPR 16]

#### RAW CANE SUGARS

Revised Price Schedule No. 16 is redesignated Maximum Price Regulation 16 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

#### Sec.

1. Maximum prices for raw cane sugars established with prohibition of sales in violation.
2. Less than maximum prices.
3. Records.
4. Enforcement.
5. Licensing.
6. Petitions for amendment.
7. Definitions.
8. Maximum prices for raw cane sugars.
9. Evasion.
10. Maximum prices as to transactions of the Commodity Credit Corporation.
11. Export maximum prices.
12. Adjustable pricing.

AUTHORITY: § 1334.1 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Maximum prices for raw cane sugars established with prohibition of sales in violation.* On and after August 14, 1941, or the effective date thereof as to any amendment to this regulation, regardless of any contract or other obligation

(a) No person shall sell, offer to sell, deliver or transfer raw cane sugar at a higher price than the maximum price established in this regulation.

(b) No person shall buy, offer to buy, import or receive in the course of trade or business raw cane sugar at a price higher than the maximum price established in this regulation.

(c) Maximum prices are established in this regulation on the gross basis specifying types and points of delivery. They include all commissions and other charges for such types up to such points. From them must be deducted any discounts customarily allowed in sales of raw cane sugar.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in section 8 may be charged, demanded, paid, or offered.

SEC. 3. *Records.* Every person making purchases or sales of raw cane sugars after August 14, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of:

(a) Each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, the quantity of each kind or grade purchased or sold; and

(b) The quantity of raw cane sugars (1) On hand, and (2) On order, as of the close of each calendar month.

SEC. 4. *Enforcement.* Persons violating any provisions of this Maximum Price Regulation 16 are subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 5. *Licensing.* The provisions of Licensing Order No. 1,<sup>1</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 6. *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation 16 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>2</sup>

SEC. 7. *Definitions.* When used in Maximum Price Regulation 16, the term:

(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Raw cane sugars" means any sugars which are principally of crystalline structure and which are to be further refined or improved in quality, and any sugars which are principally not of crystalline structure but which are to be further refined or otherwise improved in

<sup>1</sup> 9 F.R. 13240.

<sup>2</sup> 9 F.R. 10476.

quality to produce any sugars principally of crystalline structure.

SEC. 8. *Maximum prices for raw cane sugars.* (a) (1) (i) The maximum price per pound for raw cane sugars from offshore producing areas of 96 degrees polarization, duty paid, cost, insurance and freight, shall be 3.75 cents, for delivery at points at which deliveries have customarily been made by Commodity Credit Corporation for a particular refinery, or, if such deliveries have not customarily been made by Commodity Credit Corporation, then at receiving scales located at the refinery port.

(ii) If a buyer receives delivery of offshore sugars elsewhere than at such points, the total cost to the buyer shall not exceed the specified maximum price applicable at the point where the buyer has customarily received deliveries from Commodity Credit Corporation or, if such deliveries have not customarily been made by the Commodity Credit Corporation, at the receiving scales located at the refinery port plus an amount equal to all charges that would have been incurred in moving the sugar over the customary route from such point to the buyer's refinery.

(2) Except, by contract, provision may be made for a maximum price to be:

(i) An amount which may be adjusted later, up to but not to exceed the maximum price in effect at the time of putting the raw sugar being priced by the contract into the refiner's melt, or

(ii) An average of the prices not to exceed an average of the maximum prices of raw cane sugar at the specified port of arrival which prevail during the period of the contract, or

(iii) A consideration which includes performance of services by the buyer, if the maximum prices specified above are lowered by an amount at least equal to the reasonable money value of such services to the seller; provided a copy of such contract and an explanation of the services are submitted to the Office of Price Administration, Washington, D. C., at least thirty days before the contract is to become effective. The Price Administrator may adjust the price set out in such contract by issuance of an order within thirty days after its receipt, otherwise it will be considered as complying with this regulation as to maximum prices.

(b) Maximum prices per pound for continental United States raw cane sugars of 96 degrees polarization shall be as follows:

(1) 3.75 cents per pound, f. o. b. conveyance for delivery to a refinery, less the per pound transportation charge at the published freight rate from the raw sugar mill to the refinery nearest freightwise to such raw sugar mill. The maximum delivered price to a refinery shall be the above f. o. b. price plus actual transportation cost from the selling raw sugar mill to the refinery processing such sugar.

(2) With respect to any sale of the sugars included in this paragraph (b)

(i) A contract may provide for averaging the prices during the season in

accordance with the customary method: *Provided*, That (a) the average price for the season does not exceed a price obtained by averaging the maximum prices in effect during the season in accordance with such method; and (b) the season used in determining the average price commences not later than the date fixed by the United States Department of Agriculture pursuant to the Sugar Act of 1937, as amended, as the beginning of the sugarcane marketing season and terminates not later than the date fixed by the United States Department of Agriculture pursuant to said Act as the termination of said season.

(ii) A contract may provide for the payment of an adjusted price not to exceed the maximum price in effect at the time of arrival at the buyer's warehouse or place of business. In the event that more than one delivery is made pursuant to the same contract, the adjustment of the price and the payment thereof shall be made in respect to each delivery separately.

(c) *Adjustment for polarization:*

The maximum prices specified herein shall be adjusted by making allowances per pound for each degree of polarization above or below 96 degrees (fractions of a degree in proportion) in accordance with the method customarily used prior to August 14, 1941. It is not required that such method be used. However, the maximum prices for the various tests shall not exceed the prices obtained by applying such method for sugars of like test.

SEC. 9. *Evasion.* The price limitations established by Maximum Price Regulation 16 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of raw cane sugars, alone or in conjunction with any other commodity or material, or by way of any commission, service, transportation, or other charge, or discounts, premium, or other privilege, or by tying-agreement, or other trade understanding, or by shifting the incidence of a cost which customarily has been borne by the buyer or the seller to the other party to the contract, or by any other means.

SEC. 10. *Maximum prices as to transactions of the Commodity Credit Corporation.* (a) With respect to the purchase of raw cane sugar the Commodity Credit Corporation and sellers to it are exempted from the provisions of this regulation.

(b) For the sale of raw cane sugar by the Commodity Credit Corporation, contracts may be entered into by it and by purchasers from it to provide: (1) for forward deliveries with payment to the Commodity Credit Corporation of an adjusted price not to exceed the maximum price in effect on the day when such sugar is put into the melt in the purchaser's refinery; (2) for price adjustments on sugars other than that directly supplied by the Commodity Credit Corporation and providing for payment for them at a price not to exceed the maximum price on the day when such sugar is put

into the refiner's melt, and (3) for reciprocal services.

SEC. 11. *Export maximum prices.* Maximum prices at which a person may export raw cane sugar shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, as amended.<sup>1</sup>

SEC. 12. *Adjustable pricing.* When a request for a change in the applicable maximum price is pending, an authorization may be given by the Price Administrator for a price to be adjusted upward after the raw sugar being priced is put into the refiners melt, if the Price Administrator deems such authorization necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act, as amended.

*Effective date.* This regulation shall become effective January 8, 1945.

NOTE: All records keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-173; Filed, Jan. 3, 1945;  
11:46 a. m.]

#### PART 1346—BUILDING MATERIALS [MPR 224; Amdt. 9]

##### CEMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 224 is amended in the following respects:

1. Paragraph (a) of § 1346.104 is hereby amended to add immediately following the present subparagraph (1) (c) a new subdivision (d) to read as follows:

(d) The maximum price determined pursuant to the above pricing method may be increased by a manufacturer meeting the conditions set forth below by an amount not in excess of \$0.20 per barrel when the following conditions are met:

The sale is made f. o. b. a mill located within the geographical area defined herein; or

The sale is made on a delivered basis and the delivered destination point is within the geographical area defined herein.

The geographical area referred to herein is defined to be the States of Wisconsin, Illinois, Indiana, and that portion of Kentucky west of and including the counties of Owen, Scott, Fayette,

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 4132, 5937, 7652, 9393, 15193; 9 F.R. 1036, 7201.

<sup>2</sup> 7 F.R. 7236, 8650, 8344, 9435; 8 F.R. 8275; 9 F.R. 267540, 4053, 10424.

Madison, Rock, Laurel, and Whitman, the States of North Dakota, South Dakota, Minnesota, Iowa, and that portion of Missouri east of, and including the counties of Schuy, Adair, Macon, Randolph, Boone, Cole, Miller, Pulaski, Lac-lede, Wright, Douglas and Ozark.

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-183; Filed, Jan. 3, 1945;  
11:49 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 1 to Supp. 1\*]

##### COTTONSEED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplement 1 to Food Products Regulation No. 3 is amended in the following respects:

1. Section 6 (a) (1) (i) footnote 1 is amended to read as follows:

(1) If oil meal, sized cake or pellets are produced by the processor from slab cake which he purchased, the base price is increased by 50 cents per ton, to which may be added the transportation cost, if any, from the point of production of the slab cake to the point of production of the oil meal, sized cake or pellets.

2. Section 6 (a) (4) is amended to read as follows:

(4) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery, your base per ton price shall be reduced in such proportion as the deficiency bears to the guarantee.

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-179; Filed, Jan. 3, 1945;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 1 to Supp. 3\*]

##### SOYBEAN PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplement 3 to Food Products Regulation No. 3 is amended in the following respect:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 11504.

<sup>2</sup> 9 F.R. 11508, 13852.

<sup>3</sup> 9 F.R. 11849, 13852.

1. Section 6 (c) is amended to read as follows:

(c) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery, your base per ton price shall be reduced in such proportion as the deficiency bears to the guarantee.

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-182; Filed, Jan. 3, 1945;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 1 to Supp. 5\*]

##### LINSEED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplement 5 to Food Products Regulation No. 3 is amended in the following respect:

1. Section 6 (d) is amended to read as follows:

(d) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery your base per ton price shall be reduced in such proportion as the deficiency bears to the guarantee.

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-181; Filed, Jan. 3, 1945;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 1 to Supp. 7\*]

##### PEANUT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Supplement 7 to Food Products Regulation No. 3 is amended in the following respect:

1. Section 6 (a) (3) is amended to read as follows:

(3) If at the time of sale you guarantee any minimum protein content and you do not fulfill such guarantee on delivery, your base per ton price shall be reduced in such proportion as the deficiency bears to the guarantee.

<sup>1</sup> 9 F.R. 11504.

<sup>2</sup> 9 F.R. 12531.

<sup>3</sup> 9 F.R. 12744.

This amendment shall become effective January 8, 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-180; Filed, Jan. 3, 1945;  
11:48 a. m.]

#### PART 1388—DEFENSE RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,<sup>1</sup> Correction]

##### HOTELS AND ROOMING HOUSES

Schedule A in the Rent Regulation for Hotels and Rooming Houses is corrected in the following respects:

1. In Item 167 (b) the first column, entitled "Defense-rental area" is corrected to read "Lamar County".

2. In Item 167 (b) the third column, entitled "County or counties in defense-rental area under rent regulation for hotels and rooming houses" is corrected to read "Lamar".

Issued and effective this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-174; Filed, Jan. 3, 1945;  
11:46 a. m.]

#### PART 1388—DEFENSE RENTAL AREAS

[Rent Reg. for Housing,<sup>2</sup> Correction]

##### HOUSING

Schedule A in the Rent Regulation for Housing is corrected in the following respects:

1. In Item 167 (b) the first column, entitled "Defense-rental area" is corrected to read "Lamar County".

2. In Item 167 (b) the third column, entitled "County or counties in defense-rental area under rent regulation for housing" is corrected to read "Lamar".

Issued and effective this 3d day of January 1945.

JAMES F. BROWNLEE,  
*Acting Administrator*

[F. R. Doc. 45-175; Filed, Jan. 3, 1945;  
11:46 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 10, Amdt. 26]

##### FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

<sup>1</sup> 9 F.R. 11322, 11540, 11610, 11787, 12414, 12866, 12967, 14059, 14357, 14238.

<sup>2</sup> 9 F.R. 11335, 11541, 11610, 11707, 13414, 12866, 12967, 14060, 14357.

<sup>3</sup> 7 F.R. 6887, 8523, 8607, 10707; 8 F.R. 1304, 3315, 3843, 4190, 4892, 5268, 7017; 9 F.R. 2233, 2478, 2656, 2746, 3652.

Ration Order 10 is amended in the following respects:

1. Section 1407.623 (a) (1) is added to read as follows:

(1) Wheat flour.

2. Section 1407.687 is added to read as follows:

§ 1407.687. *Ration allowances.*

Ration period	Stamp valid during ration period (Book 1)	Weight value of stamp
#26 Dec. 24 to Dec. 30, 1944.	Stamp No.: 26-----	1 lb. of Wheat Flour.
#27 Dec. 31 to Jan. 6, 1945.	27-----	Do.
#28 Jan. 7 to Jan. 13, 1945.	28-----	Do.

4. Section 1407.704 is added to read as follows:

§ 1407.704 *Designation of amount of rationed commodities allowed per person served by institutional users.* (a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be four (4) pounds per person per month of wheat flour.

This amendment shall become effective as of December 24, 1944.

Issued this 3d day of January 1945.

JACOB A. ROBLES,  
Territorial Director,  
Virgin Islands.

Approved:

JAMES P. DAVIS,  
Regional Administrator  
Region IX.

[F. R. Doc. 45-177; Filed, Jan. 3, 1945; 11:47 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [Restriction Order 10, Amdt. 1]

##### ALLOCATION OF LAUNDRY SOAP, SOAP FLAKES AND SOAP POWDER IN PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Restriction Order No. 10 is amended in the following respects:

1. Section 1.1 (a) is amended to read as follows:

(a) No importer or wholesaler shall transfer laundry soap, soap flakes, or soap powder to any person who was not his customer during any of the months from April 1944 to September 1944, inclusive; and shall not transfer to any one of his customers for any one given month laundry soap in excess of  $\frac{1}{3}$  (33 $\frac{1}{3}$ %), or soap flakes or soap powder in excess of  $\frac{2}{3}$  (66 $\frac{2}{3}$ %) of the average monthly transfers made to that customer during the months from April 1944 to September 1944, inclusive, unless authorized in writing by the Director of the Office of Price Administration for Puerto Rico.

2. Section 1.1 (b) is amended to read as follows:

(b) No manufacturer or retailer shall transfer to any consumer laundry soap in excess of  $\frac{1}{3}$  (33 $\frac{1}{3}$ %) or soap flakes or soap powder in excess of  $\frac{2}{3}$  (66 $\frac{2}{3}$ %) of the average monthly transfers made to that customer during the months from April 1944 to September 1944, inclusive.

3. Sections 1.2 (a) and 2.1 are amended by deleting the phrase "of July, August, and September", and inserting in lieu thereof, the phrase "from April 1944 to September 1944, inclusive"

4. Sections 1.2 (f) and (g) are added to read as follows:

(f) Transfers of laundry soap, soap flakes or soap powder may be made by a wholesaler to another wholesaler, or by a retailer to another retailer upon written authorization of the Director. Applications for authorization to make such transfers shall be made by the transferor in writing to the Director, stating the name and address of transferor and transferee, amount of laundry soap, soap flakes, or soap powder to be transferred, stocks of laundry soap, soap flakes, or soap powder of transferor and transferee, and reason for transfers.

(g) Laundry soap, soap flakes, or soap powder imported through a broker by wholesaler, retailer, industrial, or institutional user may be transferred by the broker to the wholesaler, retailer, industrial or institutional user even though the shipment may be consigned to the broker. The broker shall, within five (5) days after the shipment has been received, notify the Director in writing, stating name and address of transferor and transferee, and quantity of laundry soap, soap flakes, or soap powder transferred.

5. Section 6.1 (l) is amended to read as follows:

(l) "Soap powder" means laundry soap in the form of powder, chips or suds containing 80% or more soap.

6. Sections 6.1 (l) and (m) are added to read as follows:

(l) "Industrial user" means an establishment which uses laundry soap, soap flakes, or soap powder in order to render services to the public, such as laundries.

(m) "Institutional user" means an establishment which uses laundry soap, soap flakes, or soap powder for cleaning premises of, or washing clothes used by persons housed within a non-profit institution, such as a hospital, school, convent, or prison.

This order shall become effective as of December 23, 1944.

Issued this 3d day of January 1945.

R. GARCIA CRIVELLO,  
Acting Territorial Director  
Puerto Rico.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 45-176; Filed, Jan. 3, 1945; 11:47 a. m.]

#### TITLE 49—TRANSPORTATION AND RAILROADS

##### Chapter II—Office of Defense Transportation

[Gen. Order ODT L-3, Amdt. 1]

#### PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

##### MOTOR TRANSPORTATION OF POULTRY FROM OR WITHIN DESIGNATED AREAS

Pursuant to Title III of the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, War Production Board Directive 21, and authorizations and requests contained in certificates of the War Food Administration dated December 1, 1944, and December 29, 1944, respectively,

It is hereby ordered, That paragraph (a) of § 504.21 of General Order ODT L-3 (9 F.R. 14307) be, and it hereby is, amended to read as follows:

§ 504.21 *Restriction upon transportation by commercial motor vehicle of poultry from or within designated areas.* (a) No person shall transport poultry by commercial motor vehicle, as a common carrier, contract carrier, or private carrier, from or within any of the areas designated in Appendix A hereof, unless there is outstanding a letter of authority issued by the War Food Administration or its designated representative authorizing such person, or the person for whom the poultry is being transported, or the person to whom the poultry is to be delivered, to purchase, receive, or accept delivery of such poultry, pursuant to the provisions of War Food Order No. 119 issued by the War Food Administration, or of any supplement thereto or amendment or reissue thereof, and unless a copy of such letter of authority is carried in the transporting motor vehicle: *Provided*, That the restrictions of this section shall not apply to the transportation within the designated areas of poultry produced and transported by the producer, or to any transportation of poultry in respect of which no letter of authority is required by the provisions of War Food Order No. 119 or by reason of any exemption made or relief granted under that order.

This Amendment 1 to General Order ODT L-3 shall become effective January 1, 1945, as to Areas Nos. 1 and 2 designated in Appendix A hereof; effective January 8, 1945, as to Area No. 3; and effective January 15, 1945, as to Area No. 4.

(Title III of the Second War Powers Act, 1942, 56 Stat. 177, 50 U.S. Code § 633; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; WPB Dir. 21, 8 F.R. 5834; Certificates of WFA dated Dec. 1, 1944, and Dec. 29, 1944, respectively)

Issued at Washington, D. C., this 30th day of December 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

\*Copies may be obtained from the Office of Price Administration.



## APPENDIX A—DESIGNATED AREAS SUBJECT TO GENERAL ORDER ODT L-3

*Area No. 1:* All of the State of Delaware south of the Chesapeake and Delaware Canal and all of that part of the County of Cecil in the State of Maryland south of the Chesapeake and Delaware Canal, and the Counties of Kent, Queen Annes, Caroline, Dorchester, Wicomico, Talbot, Worcester, and Somerset in the State of Maryland, and the Counties of Accomac and Northampton in the State of Virginia;

*Area No. 2:* The Counties of Augusta, Rockingham, Page, Shenandoah, and Frederick in the State of Virginia, and the Counties of Hardy, Pendleton, Grant, and Hampshire in the State of West Virginia;

*Area No. 3:* The Counties of Cherokee, Dawson, Forsyth, Lumpkin, Hall, White, and Habersham in the State of Georgia;

*Area No. 4:* The Counties of Benton, Washington, Carroll, Boone, Sebastian, Franklin, Madison, and Crawford in the State of Arkansas, the Counties of Newton, McDonald, Stone, Taney, and Barry in the State of Missouri, and the Counties of Ottawa, Delaware, and Adair in the State of Oklahoma.

[F. R. Doc. 45-114; Filed, Jan. 2, 1945; 2:07 p. m.]

### Notices

## DEPARTMENT OF THE INTERIOR.

## Bureau of Mines.

J. REED DENISON, ET AL.

## ORDER DETERMINING VIOLATIONS AND IMPOSING CONDITIONS FOR SUSPENSION OF REVOCATION

In the matter of licensee J. Reed Denison, W. H. Denison, W. H. Denison Manganese Co., Walter H. Denison Manganese & Contracting Co., Inc. Proceedings for revocation of licenses.

To: J. Reed Denison, W. H. Denison, W. H. Denison Manganese Co., Walter H. Denison Manganese & Contracting Co., Inc., 1164 East College Street, Batesville, Arkansas.

Based upon the records in this matter, including your answers, I make the following findings of fact:

1. A specification of charges against you setting forth violations of the Federal Explosives Act (55 Stat. 863) as amended, and the regulations pursuant thereto, of which you were accused, was mailed to you on September 16, 1944, giving you notice to mail an answer within 15 days from that date answering the charges against you and requesting an oral hearing if you wished.

2. You answered the charges by letters dated September 28, 1944, and November 6, 1944, and stated that you did not desire an oral hearing.

3. The charges against you are true.

4. An investigation of your operations on November 21, 1944, indicated that on that date you were complying with the Federal Explosives Act and the regulations pursuant thereto.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations pursuant thereto, I hereby determine that you have violated the Federal Explosives Act and the regulations pursuant thereto, and I hereby

order that all licenses issued to you under the Federal Explosives Act shall be revoked without further notice to you if, hereafter, you fail to comply scrupulously with the requirements of the act and the regulations thereunder.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 23d day of December 1944.

R. R. SAYERS,  
Director

[F. R. Doc. 45-150; Filed, Jan. 3, 1945; 10:03 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 5678]

JULIO M. CONESA

## NOTICE OF HEARING

In re application of Julio M. Conesa (WPRP), dated, April 19, 1939; for construction permit; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; operating assignment specified: Frequency, 1520 kc; power, 1 kw night, 5 kw day; hours of operation, unlimited. File No. B-P-2377.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa (WPRP) Docket Nos. 6105, 6107, 6684; the application of Julio M. Conesa, Assignor and Voice of Porto Rico, Inc., Assignee. Docket No. 6685, and the application of Consolidated Broadcasting Corporation, Docket No. 6686, for the following additional reasons:

1. To determine whether the proposed operation would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

2. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of January 26, 1944.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Julio M. Conesa, Radio Station WPRP, #4 Trujillo Street, Ponce, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-192; Filed, Jan. 3, 1945; 12:00 m.]

[Docket No. 6105]

JULIO M. CONESA

## NOTICE OF HEARING

In re application of Julio M. Conesa (WPRP) dated, May 27, 1940; for renewal of license; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; present assignment: Frequency, 1420 kc; power, 250 w; hours of operation, unlimited. File No. B-R-882.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa (WPRP) Docket Nos. 5678, 6107 and 6684; the application of Julio M. Conesa, Assignor and Voice of Porto Rico, Inc., Assignee, Docket No. 6685 and the application of Consolidated Broadcasting Corporation, Docket No. 6686, for the following additional reasons:

1. To obtain full information with respect to all contracts or negotiations by the licensee for the assignment of the license of Station WPRP and for the transfer of its equipment and other assets.

2. To determine whether on, or about, June 24, 1944, Station WPRP radiated radio frequency emissions outside the authorized band in violation of § 3.46 (c) of the Commission's rules.

3. To determine whether on, or about, September 9, 1944, the transmitting equipment of Station WPRP was constructed and operated in accordance with § 3.46 of the Commission's rules and section 12-B of the Standards of Good Engineering Practice, particularly as to whether all access doors were provided with interlocks which would disconnect all voltages in excess of 350 volts.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Julio M. Conesa, Radio Station WPRP, #4 Trujillo Street, Ponce, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-193; Filed, Jan. 3, 1945;  
12:00 m.]

[Docket No. 6107]

JULIO M. CONESA

NOTICE OF HEARING

In re application of Julio M. Conesa (WPRP) dated, July 26, 1940; for modification of construction permit; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; operating assignment specified: Frequency, 1520 kc under NARBA, power, 1 kw night, 5 kw day; hours of operation, unlimited. File No. B-MP-1024.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa (WPRP) Docket Nos. 5678, 6105 and 6684; the application of Julio M. Conesa, Assignor and Voice of Porto Rico, Inc., Assignee, Docket No. 6685 and the application of Consolidated Broadcasting Corporation, Docket No. 6686, for the following additional reasons:

1. To determine whether the proposed operation would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

2. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of January 26, 1944.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Julio M. Conesa, Radio Station WPRP #4 Trujillo Street, Ponce, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-194; Filed, Jan. 3, 1945;  
12:00 m.]

[Docket No. 6684]

JULIO M. CONESA

NOTICE OF HEARING

In re application of Julio M. Conesa (WPRP), dated, September 14, 1943; for construction permit to move transmitter and install new antenna; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; operating assignment specified: Frequency, 1420 kc; power, 250 w; hours of operation, unlimited. File No. B-P-3547.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa, Dockets Nos. 5678, 6105 and 6107; the application of Julio M. Conesa, Assignor and Voice of Porto Rico, Inc., Assignee, for assignment of license of Station WPRP, Docket No. 6685; and the application of Consolidated Broadcasting Corporation, Docket No. 6686, for the following reasons:

1. To determine the financial qualifications of the applicant to make the proposed changes and to continue the operation of Station WPRP.

2. To determine whether operation as proposed would permit Station WPRP to have a minimum of 25 to 50 mv/m over the business district of Ponce, Puerto Rico, as contemplated by the Standards of Good Engineering Practice.

3. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Julio M. Conesa, 6 Trujillo Street, Radio Station WPRP, Ponce, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-195; Filed, Jan. 3, 1945;  
12:00 m.]

[Docket No. 6635]

JULIO M. CONESA, ASSIGNOR, AND VOICE OF PORTO RICO, ASSIGNEE

NOTICE OF HEARING

In re application of Julio M. Conesa, Assignor and Voice of Porto Rico, Assignee; dated, January 23, 1944; for voluntary assignment of license of Station WPRP; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; operating assignment specified: Frequency, 1420 kc; power, 250 w; hours of operation, unlimited. File No. B-AL-399.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa, Dockets Nos. 5678, 6105, 6107 and 6684; and the application of Consolidated Broadcasting Corporation Docket No. 6686 for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the proposed assignee and its officers, directors, and stockholders to operate Station WPRP.

2. To obtain full information with respect to all agreements entered into between the proposed assignor and the proposed assignee or any of its officers, directors and stockholders.

3. To obtain full information with respect to all agreements entered into between the proposed assignor and the Consolidated Broadcasting Corporation or any of its officers, directors and stockholders.

4. To obtain full information with respect to the character and nature of the program service proposed by the assignee corporation.

5. To determine whether in view of the evidence adduced at the hearing upon the foregoing issues, public interest would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Julio M. Conesa, Radio Station WPRP, Trujillo Street, Ponce, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-196; Filed, Jan. 3, 1945;  
12:00 m.]

[Docket No. 6724]

## TEXAS BROADCASTERS

## NOTICE OF HEARING

In re application of Fred Weber, E. A. Stephens and William H. Talbot, d/b as Texas Broadcasters (New) date filed, June 29, 1944; for construction permit; class of service, broadcast; class of station, broadcast; location, Houston, Texas; operating assignment specified: Frequency 1580 kc; power, 500 w night, 1 kw day; hours of operation, unlimited. File No. B3-P-3648.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and its members to construct and operate the proposed station.

2. To determine the nature and character of the programs proposed by the applicant.

3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.

4. To determine whether the station, operating as proposed, would have a signal in excess of 25 uv/m 10% of the time across any portion of the Canadian-United States border.

5. To determine the extent of any interference which might result from the simultaneous operations of the proposed station and Stations CM CJ-CMCR, Havana, Cuba, and CM JQ, Nuevitas, Cam.

6. To determine whether granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

7. To determine whether the operation of the proposed station would be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the predicted 250 mv/m contour ("blanket area")

8. To determine whether the proposed operation or that proposed by H. C. Cockburn tr/as San Jacinto Broadcasting Company (B3-P-3661) would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

9. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of policy of January 26, 1944.

10. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fred Weber, E. A. Stephens & William H. Talbot, doing business as Texas Broadcasters, % Fred Weber, Radio Station WDSU, Hotel Monteleone, New Orleans, Louisiana.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-198; Filed, Jan. 8, 1945;  
12:01 p. m.]

[Docket No. 6686]

## CONSOLIDATED BROADCASTING CORP.

## NOTICE OF HEARING

In re application of Consolidated Broadcasting Corporation (New), dated April 10, 1944; for construction permit for a new station; class of service, broadcast; class of station, broadcast; location, Ponce, Puerto Rico; operating assignment specified: Frequency, 1420 kc; power, 250 w; hours of operation, unlimited (requesting facilities of WPRP) File No. B-P-3617.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing in consolidation with the applications of Julio M. Conesa (WPRP) Docket Nos. 5678, 6105, 6107, and 6684; and the application of Julio M. Conesa, Assignor and Voice of Porto Rico, Inc., Assignee, Docket No. 6685, for the following reasons:

1. To determine the legal, financial, technical and other qualifications of the applicant corporation to construct and operate the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To obtain full information with respect to all contracts between the applicant or its officers, directors and stockholders; and the licensee of Station WPRP

4. To obtain full information with respect to applicant's plans for obtaining equipment for its proposed operation.

5. To determine whether the proposed radiating system complies with the recommendations of the Standards of Good Engineering Practice, particularly as to the height of the vertical lead.

6. To determine whether the proposed operation would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

7. To determine whether the granting of this application would otherwise be consistent with the policy announced by the Commission in its supplemental statement of January 26, 1944.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application, the applications of Julio M. Conesa (Docket Nos. 5678, 6105, 6107 and 6684) and the application of Julio M. Conesa (transferor) and the Voice of Puerto Rico (transferee) (Docket No. 6685) or any of them.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein and the applicants already made a party by consolidation, who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Consolidated Broadcasting Corporation, Meditacion #10, Mayaguez, Puerto Rico.

Dated at Washington, D. C., December 29, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 45-197; Filed, Jan. 8, 1945;  
12:00 m.]

## FEDERAL DEPOSIT INSURANCE CORPORATION.

## INSURED STATE BANKS

## CALL FOR REPORT OF CONDITION AND ANNUAL REPORT OF EARNINGS AND DIVIDENDS

Resolution of Board of Directors adopted December 29, 1944, authorizing call for report of condition and annual report of earnings and dividends on insured State banks not members of the Federal Reserve System, except banks in the District of Columbia and mutual savings banks.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, be it resolved that each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, December 30, 1944, on Form 64 (Short form)—Call No. 22,

and a report of earnings and dividends for the calendar year 1944, on Form 73. Said report of condition shall be prepared in accordance with, "Instructions for the Preparation of Reports of Condition on Form 64" issued December 1938, and supplements of June 25 and December 21, 1942; and said report of earnings and dividends shall be prepared in accordance with, "Instructions for the Preparation of Reports of Earnings and Dividends on Form 73" issued December 1937, and supplement of December 21, 1942.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,  
By E. F. DOWNEY,  
Secretary,

[F. R. Doc. 45-170; Filed, Jan. 3, 1945;  
11:33 a. m.]

#### INSURED MUTUAL SAVINGS BANKS

##### CALL FOR REPORT OF CONDITION AND ANNUAL REPORT OF EARNINGS AND DIVIDENDS

Resolution of Board of Directors adopted December 29, 1944, authorizing call for report of condition and annual report of earnings and dividends on insured mutual savings banks not members of the Federal Reserve System.

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, be it resolved that each insured mutual savings bank not a member of the Federal Reserve System be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, December 30, 1944, on Form 64 (Savings), and a report of earnings and dividends for the calendar year 1944, on Form 73 (Savings). Said report of condition and report of earnings and dividends shall be prepared in accordance with, "Instructions for the Preparation of Reports of Condition on Form 64 (Savings) and Reports of Earnings and Dividends on Form 73 (Savings) by Insured Mutual Savings Banks" issued December 1940.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,  
By E. F. DOWNEY,  
Secretary,

[F. R. Doc. 45-171; Filed, Jan. 3, 1945;  
11:33 a. m.]

#### FEDERAL POWER COMMISSION.

[Project No. 1888]

METROPOLITAN EDISON CO.

##### ORDER GRANTING REHEARING AND STAY DECEMBER 29, 1944.

Upon application filed December 6, 1944, by Metropolitan Edison Company for rehearing on the Commission's order of November 7, 1944, authorizing issuance of a license (major) for the constructed York Haven Project, located on the Susquehanna River at York Haven, Pennsylvania, Project No. 1888; and

No. 3—3

It appearing that the petitioner requests a rehearing with respect to the following items in said order:

(a) The effective date of the license which was prescribed as January 1, 1938;

(b) The method for determination of net investment set out in paragraph (A) (viii) of said order;

(c) The requirement in paragraph (A) (viii) of said order that the licensee must agree to accept the original cost of the project less accrued depreciation determined as provided in said order as being the net investment of the project as of the effective date;

(d) The requirement in paragraph (B) of said order that a portion of the surplus earnings "received in any calendar year" shall be paid into the amortization reserves rather than creation of amortization reserves out of surplus "accumulated" during the license period; and

(e) The finding of 6 percent in paragraph (B) of said order as the reasonable rate of return upon the net investment in the project.

The Commission finds that:

Upon the circumstances it is necessary and appropriate to grant the application for rehearing and to stay the Commission's order of November 7, 1944, as hereinafter provided.

It is ordered, That:

(A) The application for rehearing on the Commission's order of November 7, 1944, be and it is hereby granted, such rehearing to start at 10:00 a. m. on February 27, 1945, in the Commission's hearing room at 1757 K Street, NW., Washington, D. C.

(B) The order of November 7, 1944, be and it is hereby stayed until further order of the Commission.

By the Commission.

[SEAL] J. H. GUTHRIE,  
Acting Secretary.

[F. R. Doc. 45-153; Filed, Jan. 3, 1945;  
10:03 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4420]

MARGARETH HEFNER

In re: Estate of Margareth Hefner, also known as Maggie Hefner, Margareta Hefner and Gretchen Hefner, deceased; File No. D-28-2515; E. T. sec. 3644.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Adam Knoblauch, Joseph Knoblauch, Valentine Knoblauch, Anna Knoblauch and Agnes Knoblauch, and each of them, in and to the Estate of Margareth Hefner, also known as Maggie Hefner, Margareta Hefner and Gretchen Hefner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

#### Nationals and Last Known Address

Adam Knoblauch, Germany.  
Joseph Knoblauch, Germany.  
Valentine Knoblauch, Germany.  
Anna Knoblauch, Germany.  
Agnes Knoblauch, Germany.

That such property is in the process of administration by Walter T. Wagner and Frank Darmstadt, as Executors, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 19, 1944.

[SEAL] JAMES E. MAPKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-154; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Vesting Order 4421]

ROSA HERTLEIN

In re: Estate of Rosa Hertlein, also known as Rosa Herdlein, deceased; File D-28-8206; E.T. sec. 10768.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Rosa Domhart Otto

and Tecla Bock, and each of them, in and to the Estate of Rosa Hertlein, also known as Rosa Herdlein, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Rosa Domhart Otto, Germany.  
Tecla Bock, Germany.

That such property is in the process of administration by William A. G. Leopold, as Executor of the Estate of Rosa Hertlein, also known as Rosa Herdlein, deceased, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-155; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Vesting Order 4422]

LADISLAW JAWOR

In re: Estate of Ladislao Jawor, deceased; File D-6-171, E. T. sec. 3910.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margit Jawor, also known as Greta Jawor and Peggy Jawor, in and to the estate of Ladislao Jawor, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Margit Jawor, also known as Greta Jawor and Peggy Jawor, Germany (Austria).

That such property is in the process of administration by Leroy W. Harvey, Executor, acting under the judicial supervision of the Union County Orphans' Court, Elizabeth, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-156; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Vesting Order 4423]

GOLDIE KLEIN

In re: Estate of Goldie Klein, deceased; File No. D-57-372; E. T. sec. 11580.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Samuel Schechter (Schechter) and Fannie Schechter (Schechter), and each of them, in and to the Estate of Goldie Klein, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

*Nationals and Last Known Address*

Samuel Schechter (Schechter), Rumania.  
Fannie Schechter (Schechter), Rumania.

That such property is in the process of administration by James W. Brown, as Administrator of the Estate of Goldie Klein, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-157; Filed, Jan. 3, 1945;  
11:05 a. m.]



[Vesting Order 4424]

VALENTIN KLEIN

In re: Estate of Valentin Klein, deceased; File No. D-28-2548; E. T. sec. 4921.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dr. Heinrich Kramer and Mrs. Louisa Flojetz, and each of them, in and to the Estate of Valentin Klein, deceased and in and to the trust established under the Will of Valentin Klein, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Dr. Heinrich Kramer, Germany.  
Mrs. Louisa Flojetz, Germany.

That such property is in the process of administration by The Chase National Bank of the City of New York, Executor and Trustee, and Carl Bock, Co-Executor, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-158; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Supplemental Vesting Order 4425]

HUGO KOMPMAN

In re: Estate of Hugo Kompman, deceased; File D-28-8746; E. T. sec. 10624.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs at law, names unknown, of Hugo Kompman, deceased, and each of them, in and to the Estate of Hugo Kompman, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Heirs at law, names unknown, of Hugo Kompman, deceased, Germany.

That such property is in the process of administration by John T. Dempsey, 11 South La Salle Street, Chicago, Illinois, as Administrator of the Estate of Hugo Kompman, deceased, acting under the judicial supervision of the Probate Court, County of Cook, State of Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-159; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Vesting Order 4426]

WILLIAM KRIETE

In re: Estate of William Kriete, also known as Wilhelm Kriete, deceased. File D-28-3842; E.T. sec. 6499.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Auguste Portner and Karl Kriete, and each of them, in and to the estate of William Kriete, also known as Wilhelm Kriete, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Auguste Portner, Germany.  
Karl Kriete, Germany.

That such property is in the process of administration by August Kriete, Administrator of the Estate of William Kriete, also known as Wilhelm Kriete, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-160; Filed, Jan. 3, 1945;  
11:05 a. m.]

[Vesting Order 4427]

CHARLES KREUTZER

In re: Estate of Charles Kreutzer, deceased. File No. D-28-8752; E. T. sec. 10642.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described, as follows: All right, title, interest and claim of any kind or character whatsoever of Aloys Kreutzer, Fannie Kreutzer, Gregor Kreutzer, Aloys Kreutzer, Hans Kreutzer and Maria Kreutzer, and each of them, in and to the estate of Charles Kreutzer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Aloys Kreutzer, Germany.  
Fannie Kreutzer, Germany.  
Gregor Kreutzer, Germany.  
Aloys Kreutzer, Germany.  
Hans Kreutzer, Germany.  
Maria Kreutzer, Germany.

That such property is in the process of administration by Mrs. Louise Kreutzer, as Executrix of the Estate of Charles Kreutzer, acting under the judicial supervision of the Union County Surrogate's Court of Union County, Elizabeth, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-161; Filed, Jan. 3, 1945;  
11:06 a. m.]

[Vesting Order 4428]

ANNA LOWEY

In re: Estate of Anna Lowey, also known as Anna D. Lowey, deceased; File No. D-28-9094; E. T. sec. 11680.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Willie Lowey in and to the estate of Anna Lowey, also known as Anna D. Lowey, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Willie Lowey, Germany.

That such property is in the process of administration by James W. Brown, Esq., as Administrator of the Estate of Anna Lowey, also known as Anna D. Lowey, deceased, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-162; Filed, Jan. 3, 1945;  
11:06 a. m.]

[Vesting Order 4429]

BABETTE MARZ

In re: Estate of Babette Marz, deceased; File No. D-28-3709; E. T. sec. 6129.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of "John" Marz, "Carl" Marz, "Jane" Marz, "Mary" Marz and Frau Anna Grün, and each of them, in and to the estate of Babette Marz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

"John" Marz, Germany.  
"Carl" Marz, Germany.  
"Jane" Marz, Germany.  
"Mary" Marz, Germany.  
Frau Anna Grün, Germany.

That such property is in the process of administration by George P. Clero and Howard Becker, as executors of the Estate of Babette Marz, and the New York City Treasurer, as Depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-163; Filed, Jan. 3, 1945;  
11:06 a. m.]

[Vesting Order 4430]

MOSES MAYER

In re: Estate of Moses Mayer, deceased; File No. D-28-8607; E. T. sec. 10247.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elsie Schmidts, Lillie Mayer and Julius Mayer, and each of them, in and to the estate of Moses Mayer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Elsie Schmidts, Germany.  
Lillie Mayer, Germany.  
Julius Mayer, Germany.

That such property is in the process of administration by Sophie Mayer, Administrator, acting under the judicial supervision of the Surrogate's Court, County of Bronx, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be

determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-164; Filed, Jan. 3, 1945;  
11:08 a. m.]

[Vesting Order 4431]

ERNEST H. G. MEYER

In re: Estate of Ernest H. G. Meyer, deceased; File No. D-28-8650; E. T. sec. 10408.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Klinsing, Louise Giesecke and Ludwig Meyer, and their executors, administrators, heirs-at-law, next of kin, distributees and assigns, and each of them, in and to the estate of Ernest H. G. Meyer, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Anna Klinsing, and her executors, administrators, heirs-at-law, next of kin, distributees and assigns, Germany.

Louise Giesecke, and her executors, administrators, heirs-at-law, next of kin, distributees and assigns, Germany.

Ludwig Meyer, and his executors, administrators, heirs-at-law, next of kin, distributees and assigns, Germany.

That such property is in the process of administration by the Treasurer of the City of New York, as depository, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-165; Filed, Jan. 3, 1945;  
11:07 a. m.]

[Vesting Order 4432]

MORRIS MILBERG

In re: Estate of Morris Milberg, deceased; File D-57-341, E. T. sec. 9455.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marele Rabin Sulim Halperin in and to the estate of Morris Milberg, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Roumania, namely,

*National and Last Known Address*

Marele Rabin Sulim Halperin, Roumania.

That such property is in the process of administration by Myron Benjamin Milberg and Irving Milberg, as Executors of the Estate of Morris Milberg, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Roumania;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-166; Filed, Jan. 3, 1945;  
11:07 a. m.]

[Vesting Order 4433]

JACOB WILLIAM MUELLER

In re: Estate of Jacob William Mueller, deceased; File D-28-7663; E. T. sec. 8208.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Johannah Mueller, also known as Johanna Mueller, Augusta Mueller, and Margaret Mueller, and each of them, in and to the estate of Jacob William Mueller, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Johannah Mueller, also known as Johanna Mueller, Germany.  
Augusta Mueller, Germany.  
Margaret Mueller, Germany.

That such property is in process of administration by George W. Johnson, 421 North Collett Street, Danville, Illinois, as executor of the estate of Jacob William Mueller, deceased, acting under the judicial supervision of the Probate Court of Vermilion County, Danville, Illinois;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-167; Filed, Jan. 3, 1945;  
11:07 a. m.]

[Vesting Order 4434]

BARBARA PRIES

In re: Estate of Barbara Pries, deceased; File No. D-28-8793; E. T. sec. 10748.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Joseph Kneuer and Josepha Weigand, and each of them, in and to the Estate of Barbara Pries, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Joseph Kneuer, Germany.  
Josepha Weigand, Germany.

That such property is in the process of administration by Julia Wankel, also known as Julia Wankel, as Executrix of the Estate of Barbara Pries, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on December 19, 1944.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-168; Filed, Jan. 3, 1945;  
11:07 a. m.]

[Vesting Order 4435]

EMMA U. ROHNERT

In re: Trusts under the will of Emma U. Rohnert, deceased; File D-28-7721, E. T. sec. 8234.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frieda Auf der Mauer (Maurer) in and to the Trusts created under the Will of Emma U. Rohnert, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Frieda Auf der Mauer (Maurer), Germany.

That such property is in the process of administration by Eleonore R. Bulkley and L. J. Bulkley, Helen R. Stoepel and H. Robert Stoepel, Kathryn R. McMillan and Hugh McMillan, as Trustees of the Trusts created under the Will of Emma U. Rohnert, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person

be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 19, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-169; Filed, Jan. 3, 1945;  
11:07 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Rev. R. O. 11,<sup>1</sup> Admin. Exception Order 8]

### FUEL OIL RATIONING REGULATIONS

FEDERAL PUBLIC HOUSING AUTHORITY  
TRAILER PROJECT AT ERIE, PA.

It appears that the Federal Public Housing Authority operates a trailer project at East Lake Road and Harvey Street, Erie, Pennsylvania for housing war workers. This project has, among other facilities at the project, 75 house trailer units which are used for dwelling purposes. Each dwelling unit is equipped with a fuel oil burning heater.

The fuel oil supplier delivers the fuel oil to the Housing Authority which in turn supplies the tenants with the fuel oil required by them in heating the dwelling units.

Under Revised Ration Order 11, application for a ration for the operation of fuel oil burning heaters must be made

separately for each dwelling unit. Since the units are rented to war workers there are frequent changes in occupancy. It is pointed out that the turnover in tenants of the units averages about 7 per month, and vacancies are immediately filled from a waiting list. Although each ration holder is required to surrender to the Board all unused coupons when his ration expires because he has moved from the premises, many of these tenants may omit to do so. The frequent changes in occupants will also impose an increased burden upon the Board in requiring it to pass upon a separate application for each new occupant and to issue individual rations in each case.

Application has been made by the Federal Public Housing Authority for an Administrative Exception Order under General Ration Order 1, permitting it, instead of each tenant of the East Lake Road and Harvey Street trailer project, to apply in one application for a ration to operate the fuel oil burning heating equipment in all its dwelling units at the East Lake Road and Harvey Street trailer project, Erie, Pennsylvania.

The granting of such an exception order will not constitute an exception to or a waiver or variance of any provision setting forth standards of eligibility or need for fuel oil. Nor will the effectiveness or policy of Revised Ration Order 11 be defeated or impaired by permitting such application to be made and rations to be issued upon the conditions set forth in this exception order. *It is therefore ordered:*

(a) Federal Public Housing Authority may apply, in the manner provided in this order, to the War Price and Rationing Board having jurisdiction of the area, for a ration for the operation of the fuel oil burning heaters in its dwelling units at the East Lake Road and Harvey Street trailer project, Erie, Pennsylvania, even though the occupants of these units use, and are required to pay for, the fuel oil to operate the equipment. Application for the heat ration shall be made on OPA Form R-1100 (Revised), and the applicant shall include in the application the total floor area of all the dwelling units at the project at the time of application, which are to be heated by fuel oil burning equipment. The Board may issue the ration to the applicant in accordance with this order.

(b) The allowable ration for heating the dwelling units included in the application shall be the amount of fuel oil needed for such purpose. However, the ration shall not exceed twice the maximum of the range (figured under section 5 of Appendix A of Revised Ration Order 11) for the total floor area submitted, reduced for the period for which it is issued as follows:

The appropriate percentages shown opposite the dates between which the ration is needed shall be determined from Revised Table VIII (OPA Form R-1130). The figure representing twice the maximum of the range shall be multiplied by the percentage which is the difference between the appropriate percentages so determined. If the dates are not listed, the appropriate percentages are determined by the Board from the nearest

dates which are listed. No children's allowance shall be added.

(c) Coupon sheets representing the ration shall be issued, and fuel oil on hand for the purpose shall be deducted, in the manner provided in Revised Ration Order 11. If the applicant is required or, if eligible, desires to become a ration bank depositor, a ration check representing the ration shall be issued in the manner provided in Revised Ration Order 11.

(d) The ration issued pursuant to this order shall be used only to enable the applicant to acquire fuel oil for the purpose of supplying it to the occupants of the applicant's dwelling units for the operation of heating equipment in those dwelling units. However, no ration evidences acquired pursuant to this order shall be used to obtain fuel oil for equipment if the applicant knows or has reason to believe that the occupant using the equipment has a separate ration for its operation.

(e) No separate ration shall be issued to any occupant of the applicant's dwelling units for the operation of fuel oil burning heaters for which a ration has been issued pursuant to the provisions of this order.

(f) Before any fuel oil may be acquired under this order by any occupant of such dwelling units or by the applicant for the use of such occupant, the applicant must obtain from the occupant a signed statement that he has no valid fuel oil ration for the purpose of heating the premises. Such statement furnished to the applicant pursuant to this section shall constitute a representation to the Office of Price Administration, and must be retained by the applicant at its place of business for at least two years from the date of its receipt and made available at all times to the Office of Price Administration.

This order shall become effective January 2, 1945.

Issued this 2d day of January 1945.

MAX McCULLOUGH,  
Deputy Administrator  
in Charge of Rationing.

[F. R. Doc. 45-119; Filed, Jan. 2, 1945;  
5:05 p. m.]

[MPR 183, Order 63 to 2d Rev. Order A-3]

KRAUTH AND BENNINGHOFFEN

### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1493.159b of Maximum Price Regulation No. 183, it is ordered:

(a) *Manufacturer's maximum prices.* Krauth and Benninghofen, Hamilton, Ohio, for all sales and deliveries of the Autographic Registers and Register Turntable listed below, which it manufactures, may add the following increases to its maximum net selling prices in effect immediately prior to the effective date of this order, resulting in the following maximum adjusted prices:

<sup>1</sup> 9 F.R. 2357.



Model number	Permitted adjustment in maximum price	Total of maximum price and adjustment
AA-1	\$1.12	\$6.72
AA-2	.63	6.98
M & SR-40	.09	11.39
M & SR-48	.29	11.59
M & SR-58	.61	12.16
M & SR-68	.63	12.43
M & SR-88	1.38	13.43
M & SM-46	.06	11.06
M & SM-88	.31	12.36
HR-88	.36	14.81
KR-46	1.58	13.83
KR-58	2.28	14.73
KM-88	.80	15.00
Register turntables	.21	3.21

These increases may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any person who purchases the Autographic Registers and Register Turntable for which manufacturer's maximum prices have been adjusted as provided in paragraph (a) for resale to other purchasers for resale, may add to his properly established maximum prices for those resales, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to the manufacturer. The adjusted prices are subject to the seller's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser for resale in writing of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(d) *Profit and loss statements.* After the effective date of this order, Krauth and Benninghofen shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) All requests not granted by this order are hereby denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-120; Filed, Jan. 2, 1945;  
5:05 p. m.]

[MPR 188, Order 3208]

FLUORESCENT LIGHTING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal

Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of two juvenile sets manufactured by Fluorescent Lighting Company, 11 Pleasant Street, Monticello, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile Set	10 20	Each \$3.43 2.69	Each \$4.04 3.17

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Juvenile Set, 10	\$4.04
Juvenile Set, 20	3.17

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated August 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall

notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-121; Filed, Jan. 2, 1945;  
4:58 p. m.]

[MPR 188, Order 3209]

PARIS MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of two two-way high chairs manufactured by Paris Manufacturing Company, South Paris, Maine.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Two-Way High Chair	110 100	Each \$5.27 6.10	Each \$6.20 6.08

These prices are f. o. b. factory, and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated November 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Maximum price to retailers (each)	
Article and Model No..	
Two-Way High Chair, 110.....	\$6.20
Two-Way High Chair, 100.....	6.08

These prices are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated November 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-122; Filed, Jan. 2, 1945;  
5:02 p. m.]

[MPR 188, Order 3210]

JAMISON MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile table, a juvenile chair and a juvenile rocker manufactured by Jamison Manufacturing Company, 2519 North Filmore Street, Little Rock, Arkansas.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile Table.....	T-1	Each \$1.63	Each \$1.92
Juvenile Chair.....	C-1	1.62	1.79
Juvenile Rocker.....	R-1	1.95	2.31

These prices are f. o. b. factory, and are for the articles described in the manufacturer's application dated October 23, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Maximum price to retailers (each)	
Article and Model No..	
Juvenile Table, T-1.....	\$1.92
Juvenile Chair, C-1.....	1.79
Juvenile Rocker, R-1.....	2.31

These prices are for the articles described in the manufacturer's application dated October 23, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator,

[F. R. Doc. 45-123; Filed, Jan. 2, 1945;  
5:07 p. m.]

[MPR 188, Order 3217]

CUSTOM MADE CABINET CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of an end

table and two cocktail tables manufactured by Custom Made Cabinet Co., 4459 East 52nd Street, Maywood, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
End Table.....	1101	Each \$7.25	Each \$3.00
Cocktail Table.....	1102	8.71	10.25
	1103	12.07	14.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 26, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Maximum price to retailers (each)	
Article and Model No..	
End Table, 1101.....	\$3.68
Cocktail Table, 1102.....	10.25
Cocktail Table, 1103.....	14.70

These prices are subject to a cash discount of two percent for payment within ten days, and are for the articles described in the manufacturer's application dated September 26, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for

such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-124; Filed, Jan. 2, 1945;  
4:57 p. m.]

[MPR 188, Order 3218]

KELNOR MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered.*

(a) The maximum prices for all sales and deliveries by Kelnor Manufacturing Company, Central Tower, San Francisco, California, of soldering irons of its manufacture, as described in its application dated August 18, 1944, after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Watt- age	Maximum selling prices to—		
		Stock- ing jobber	Non- stock- ing jobber	Re- tailers and indus- trial users
Soldering Irons.....	65	Each \$2.75	Each \$3.08	Each \$3.85
	100	3.13	3.50	4.38
	125	3.38	3.75	4.73

These maximum prices are f. o. b. factory and are subject to a cash discount of 2%—10 days, net 30 days.

(b) The maximum price for all sales and deliveries at wholesale for the soldering irons described in paragraph (a) above shall be the prices set forth below as follows:

Maximum selling prices to retailers and industrial users (each)	
Article and wattage:	
Soldering Irons, 65.....	\$3.85
Soldering Irons, 100.....	4.38
Soldering Irons, 125.....	4.73

These prices are f. o. b. seller's city and are subject to terms, discounts and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the soldering irons described in paragraph (a) above shall be as follows:

Maximum selling prices to consumers (each)	
Article and wattage:	
Soldering Irons, 65.....	\$5.50
Soldering Irons, 100.....	6.25
Soldering Irons, 125.....	6.75

(d) On each soldering iron shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 3218 may be revoked or amended by the Price Administrator at any time.

This Order No. 3218 shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-125; Filed, Jan. 2, 1945;  
4:57 p. m.]

[MPR 188, Order 3219]

WILSON INDUSTRIES, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered.*

(a) The maximum prices for all sales and deliveries by Wilson Industries, Inc., 551 West Lake Street, Chicago, Illinois, of Hack Saw Frames of its manufacture, as described in its application dated December 7, 1944 after such articles became subject to Maximum Price Regulation No. 188, are as follows:

Article	Model	Maximum selling prices to—	
		Jobbers	Retailers
Hacksaw (with blade).....	DeLuxe.	Each \$1.625	Each \$2.166

These maximum prices are f. o. b. factory and are subject to a cash discount of 2%—10 days.

(b) The maximum price for all sales and deliveries at wholesale for the Hack Saw Frames described in paragraph (a) above shall be the prices set forth below as follows:

Maximum selling price to retailers (each)	
Article and Model:	
Hacksaw (with blade), DeLuxe.....	\$2.166

These prices are f. o. b. seller's city and are subject to terms, discounts, and allowances no less favorable than those customarily granted by the seller.

(c) The maximum prices for a sale at retail of the Hack Saw Frames described in paragraph (a) above shall be as follows:

Maximum selling price to consumers (each)	
Article and Model:	
Hacksaw (with blade), DeLuxe.....	\$3.25

(d) On each hack saw frame with blade shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail selling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser; and every jobber who sells an article covered by this order to another jobber shall notify that purchaser in writing of the maximum prices established by this order for resales by that purchaser. This written notice may be given in any convenient form.

(f) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(g) This Order No. 3219 may be revoked or amended by the Price Administrator at any time.

This Order No. 3219 shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-126; Filed, Jan. 2, 1945;  
4:57 p. m.]

[MPR 188, Order 3220]

PHILIPP MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Philipp Manufacturing Co., 1223 South Grave Street, Philadelphia, Pennsylvania.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	
		Each	Each
Juvenile Set.....	20	\$3.78	\$1.45

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated May 18, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the

prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Juvenile Set, 20.....	\$4.45

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated May 18, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January, 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-127; Filed, Jan. 2, 1945;  
5:02 p. m.]

[MPR 188, Order 3221]

#### PLASTICHROME

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a kitchen table and a chrome chair manufactured by Plastichrome, 3303 West Washington Boulevard, Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell

from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Kitchen Table.....	200	Each \$17.25	Each \$20.35
Chrome Chair.....	800	Each 6.25	Each 6.70

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Kitchen Table, 200.....	\$20.35
Chrome Chair, 800.....	6.30

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-123; Filed, Jan. 2, 1945;  
5:00 p. m.]

[MPR 183, Order 3222]

LAWRENCE D. UPPERMAN

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a child's chair manufactured by Lawrence D. Upperman, 5231 Wilcox Road, Amlin, Ohio.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's Chair.....	10	Each \$9.51	Each \$9.60

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated November 6, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Child's chair, 10.....	\$9.60

This price is subject to a cash discount of two percent for payment

within ten days, net thirty days, and is for the article described in the manufacturer's application dated November 6, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-129; Filed, Jan. 2, 1945;  
4:59 p. m.]

[MPR 188, Order 3223]

JAMES H. GANN

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered.*

(a) This order establishes maximum prices for sales and deliveries, of a cedar chest manufactured by James H. Gann, Route 1, Lebanon, Tennessee.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Cedar Chest	46-18-16	Each \$12.11	Each \$14.25

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated October 20, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made

by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No. Maximum price to retailers (each)  
Cedar chest, 46-18-16 \$14.25

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated October 20, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-130; Filed, Jan. 2, 1945;  
4:59 p. m.]

[MPR 188, Order 3224]

STUDIOS, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of six tables manufactured by Studios, Inc., 144 Moody Street, Waltham, Massachusetts.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's

stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Table	214	Each \$7.01	Each \$8.25
	114	6.37	7.60
	301	6.10	6.00
	401	6.52	6.60
	213	6.97	8.21
	111	6.20	7.30

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Table, 214	\$8.25
Table, 114	7.60
Table, 301	6.00
Table, 401	6.60
Table, 213	8.21
Table, 111	7.30

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.



(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-131; Filed, Jan. 2, 1945;  
4:58 p. m.]

[MPR 188, Order 3237]

ROCKOFF MANUFACTURING CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a nursery chair manufactured by Rockoff Manufacturing Company, 4904 Chicago Avenue, Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Nursery Chair.....	40	Each \$1.82	Each \$2.15

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manu-

facturer's stock, the maximum price is that set forth below, f. o. b. factory.

Maximum price to  
retailers (each)  
Article and Model No. Nursery Chair, 40..... \$2.15

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 22, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-132; Filed, Jan. 2, 1945;  
5:05 p. m.]

[MPR 188, Order 3238]

THE RUSHVILLE FURNITURE CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries by the manufacturer to two classes of wholesalers, and for resales by one of those classes of wholesalers, of four bookcases manufactured by The Rushville Furniture Company, Rushville, Indiana, as follows:

(1) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to the classes of purchasers specified below, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons other than retailers who sell the article from manufacturer's stock	Maximum price to persons other than retailers who sell the article from their own stock
Bookcase.....	250	Each \$3.04	Each \$3.51
	252	10.87	12.23
	257	6.29	6.29
	253	13.61	12.71

These prices are f. o. b. factory, and are subject to the manufacturer's customary terms, discounts and allowances, on sales of similar articles.

(2) For all sales and deliveries, on and after the effective date of this order, to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to retailers
Bookcase.....	250	Each \$10.64
	252	12.79
	257	7.75
	253	15.89

These prices are f. o. b. factory, and are subject to the seller's customary terms, discounts, and allowances on sales of similar articles.

(b) At the time of, or prior to the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify that purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-133; Filed, Jan. 2, 1945;  
5:08 p. m.]

[MPR 183, Order 3239]

N & L PRODUCTS COMPANY

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set, a child's Adirondack chair, and two child's rockers manufactured by N & L Products Company, 3021 Washington Avenue, New Orleans, Louisiana.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile Set.....	P	Each \$2.81	Each \$3.31
Child's Adirondack Chair.....	Y	1.17	1.33
Child's Rocker.....	T	1.02	1.21
	I	.63	1.13

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 17, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Juvenile Set, P.....	\$3.31
Child's Adirondack Chair, Y.....	1.38
Child's Rocker, T.....	1.21
Child's Rocker, L.....	1.10

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 17, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-134; Filed, Jan. 2, 1945;  
5:06 p. m.]

[MPR 188, Order 3240]

#### CABINET SUPPLY

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of five bookcases manufactured by Cabinet Supply, 214 South Lake Avenue, Pasadena, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bookcase.....	48	Each \$4.17	Each \$4.90
	18	2.12	2.50
	24	2.55	3.00
	30	2.89	3.40
	36	3.15	3.70

These prices are f. o. b. destination, and are subject to a cash discount of two percent for payment within twenty days, net thirty days, and are for the articles described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.	Maximum price to retailers (each)
Bookcase, 48.....	\$4.90
Bookcase, 18.....	2.50
Bookcase, 24.....	3.00
Bookcase, 30.....	3.40
Bookcase, 36.....	3.70

These prices are subject to a cash discount of two percent for payment within twenty days, net thirty days, and are for the articles described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or

on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 3d day of January 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-135; Filed, Jan. 2, 1945;  
5:06 p. m.]

[MPR 528, Amdt. 1 to Order 23]

GOODYEAR TIRE AND RUBBER CO., INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reason set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) Order No. 23 under Maximum Price Regulation 528 is amended by deleting therefrom subdivision 3 of paragraph (a)

This amendment shall become effective January 3, 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator

[F. R. Doc. 45-117; Filed, Jan. 2, 1945;  
4:58 p. m.]

[MPR 528, Order 24]

B. F. GOODRICH CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following sizes and types of new tires manufactured by The B. F. Goodrich Company, Akron, Ohio, shall be:

(1) All purpose (super traction) truck tires.

Size	Ply	Maximum retail price per tire
6.00-16.....	6	\$22.00
7.00-20.....	8	38.25
7.00-20.....	10	40.80
7.50-20.....	10	60.40

(b) All provisions of Maximum Price Regulation 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective January 3, 1945.

Issued this 2d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-118; Filed, Jan. 2, 1945;  
4:58 p. m.]

[MPR 188, Order 67 Under 2d Revised Order  
A-3]

DENTAL AND OPTICAL PLIER COMPANY, INC.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 183; It is ordered:

(a) *Manufacturers' maximum prices.* Dental and Optical Plier Company, Inc., 104 S. 4th Street, Brooklyn, New York, may sell the dental and optical pliers of its manufacture at prices no higher than its maximum prices (for such sales) in effect immediately prior to the effective date of the order, plus an adjustment in the amount of 32% of the existing maximum price for sales of each article. This adjustment applies only to these items for which maximum prices have been established under Maximum Price Regulation No. 188 prior to the effective date of this order and may be made and collected only when separately stated on each invoice. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchaser for resale.* Any purchaser for resale, of the optical and dental pliers for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) may add to his properly established maximum prices, in effect immediately prior to the effective date of this order, the dollars-and-cents amount of this adjustment which he is required to pay the manufacturer. However, such adjustment may be made and collected only when separately stated on each invoice. Such adjusted prices are subject to the seller's customary terms, discounts, allowances, and other price differentials in effect on sales of the same or similar articles to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price to a purchaser for resale permitted by this order shall furnish the purchaser with an invoice containing the following notice:

#### NOTICE OF O. P. A. ADJUSTMENT

Order No. 67 under Second Revised Order A-3 under Maximum Price Regulation No. 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices in effect immediately prior to January 4, 1945, by adding no more than the exact dollars-and-cents amount of the adjustment charge(s) appearing on this invoice provided that amount is separately stated on an in-

voice which contains this notice. No other increase is authorized.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 4th day of January 1945.

Issued this 3d day of January 1945.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 45-184; Filed, Jan. 3, 1945;  
11:49 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

CITIES SERVICE CO., ET AL.

[File No. 59-53, 54-88]

#### ORDER GRANTING PETITION FOR SUPPLEMENTAL ORDER

In the matter of Cities Service Company, Cities Service Power & Light Co., et al., respondents, File No. 59-53; Cities Service Power & Light Co., File No. 54-88.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D. 1944.

Cities Service Company, and its subsidiary Cities Service Power & Light Company, both registered holding companies, having filed a petition for a supplemental order regarding the following transaction:

1. The donation by Cities Service Company to Cities Service Power & Light Company of \$20,000,000 par value of Cities Service Power & Light Company's common stock and the creation of a like amount of additional capital surplus on the books of Cities Service Power & Light Company.

2. The setting aside on the books of Cities Service Power & Light Company by a charge to earned surplus account (which account contained a balance of \$9,073,757 at August 31, 1944) of a Reserve for Losses on Sale of Certain Investments in the amount of \$35,000,000.

3. The elimination of the resulting deficit in Cities Service Power & Light Company's earned surplus account in the amount of \$25,926,243 by a charge to capital surplus account, and the dating of the earned surplus account from August 31, 1944.

A hearing having been held after appropriate notice and the Commission having examined the record and having made and filed its findings herein:

It is ordered, That said petition for supplemental order be granted and that the application and declaration regarding such proposed transaction be granted and permitted to become effective, forthwith, subject to the conditions prescribed by Rule U-24 and subject to the further condition that Cities Service Power & Light Company shall pay no dividends on its common stock in excess of \$500,000 per year after March 15, 1944 except upon further order of this Commission; such condition shall be without prejudice either to the right of petitioner to apply for its modification or to any action by

the Commission subsequently deemed appropriate regarding dividend payments.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 45-151; Filed, Jan. 3, 1945;  
10:03 a. m.]

[File No. 70-983]

CITIES SERVICE CO., AND CITIES SERVICE  
REFINING CORP.

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D. 1944.

Cities Service Company, a registered holding company, and its subsidiary, Cities Service Refining Corporation, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 12 (b) and 12 (f) of the act, and Rule U-45 promulgated thereunder regarding the amendment of a contract for the allocation of Federal income and excess profits taxes among Cities Service Company and those affiliated companies which join with it in the filing of a consolidated Federal income and excess profits tax return which will result in an allocation upon a basis differing from that expressly authorized by Rule U-45 (b) (6) promulgated under said act; and

A public hearing having been held after appropriate notice and the Commission having examined the record and made its findings and opinion herein,

It is ordered That said declaration be permitted to become effective forthwith subject to the conditions prescribed by Rule U-24 of the rules and regulations promulgated under the act and subject further to the condition that such amendment to the contract regarding allocation of taxes shall cease to be effective upon order of the Commission after notice and opportunity for hearing.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 45-152; Filed, Jan. 3, 1945;  
10:03 a. m.]

[File 59-59]

AMERICAN STATES UTILITIES CORP., ET AL.

#### MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of December, A. D. 1944.

In the matter of American States Utilities Corp., Edison Sault Electric Co., Southern California Water Co., File No. 59-59.

*Simplification of holding company system—Extension of time pursuant to section 11 (c) of the act.* Application of a registered holding company and its sub-

subsidiary companies, filed pursuant to section 11 (c) for an additional six months' extension of time within which to comply with an order issued pursuant to section 11 (b) (2) granted, the Commission finding that applicants have been unable in the exercise of due diligence to comply with the order within one year and six months from the date thereof and that such extension is necessary and appropriate in the public interest and for the protection of investors and consumers.

American States Utilities Corporation ("American States") a registered holding company, and its subsidiary companies, Edison Sault Electric Company ("Edison Sault") and Southern California Water Company ("Southern California") have filed an application pursuant to section 11 (c)<sup>1</sup> of the Public Utility Holding Company Act of 1935 requesting a second six months' extension<sup>2</sup> of the period within which they must comply with an order of the Commission dated April 9, 1943.<sup>3</sup> Such order directed, pursuant to section 11 (b) (2) of the Act, that American States take such action as is necessary to cause its liquidation and dissolution, and further directed American States and its subsidiaries to submit a plan to effectuate prompt compliance with said order.

After appropriate notice, a public hearing was held upon said application, and the Commission, having considered the record, makes the following findings:

Within one year from the entry of our order dated April 9, 1943, American States, to effectuate compliance there-

with, had caused Grimes Pass Power Company, one of its subsidiary companies, to sell and dispose of all its assets and to dissolve. In addition American States had filed with this Commission a plan of liquidation which proposed the distribution in kind to its preferred and common stockholders of its interests in its remaining subsidiaries. During the six months' extension period from April 9, 1944, amendments have been filed to such plan and public hearings have been held before a trial examiner of this Commission. In addition, applicants, during this extension period, obtained orders from the State Commissions of California and Michigan necessary for the perfection of their proposed plan and obtained and presented data and information to this Commission pertinent to and necessary for the completion of the record in support of the plan. It appears that the record in this proceeding is almost completed and that it can be closed in the near future.

In view of all the circumstances, we find that the applicants have made a showing of due diligence within the purview of section 11 (c) of the act and that a second extension of six months within which to comply with the provisions of our order of April 9, 1943 is necessary and appropriate in the public interest and for the protection of investors and consumers.

*It is ordered*, That American States Utilities Corporation, Edison Sault Electric Company and Southern California Water Company be, and are hereby, granted an additional period of six months from October 9, 1944 within which to comply with the provisions of said order of April 9, 1943.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-190; Filed, Jan. 3, 1945;  
11:52 a. m.]

[File No. 70-991]

#### CENTRAL VERMONT PUBLIC SERVICE CORP.

##### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of December, A. D. 1944.

Central Vermont Public Service Corporation, a public-utility subsidiary of New England Public Service Company, a registered holding company, which in

turn is a subsidiary of Northern New England Company, also a registered holding company, having filed an application pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 requesting approval of the purchase from Colonial Utilities Corporation of all the capital stock, consisting of 14,000 shares with a par value of \$25 per share, and a ten-year 4% unsecured note in the principal amount of \$50,000 maturing January 1, 1952, of Vermont Utilities, Inc., a public-utility subsidiary of Colonial Utilities Corporation, for \$512,000 in cash, subject to certain adjustments; and

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its findings and opinion herein;

*It is ordered*, That said application be and it is hereby granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

1. That, at the time of recording the acquisition of the securities of Vermont Utilities, Inc., on its books, Central Vermont Public Service Corporation shall immediately provide a reserve, by a direct charge against earned surplus, in an amount equal to the difference between the cost of the securities to be purchased and the underlying net assets applicable to the securities, such reserve to be entitled "Reserve for excess of cost of investment in the common stock and note of subsidiary over equity in underlying net assets at date of acquisition".

2. That Central Vermont Public Service Corporation shall use its best efforts to effectuate a merger with Vermont Utilities, Inc., within one year from the date of our order herein.

3. That Central Vermont Public Service Corporation shall dispose of its interest in the telephone business of Vermont Utilities, Inc., within one year from the date of our order herein, unless such time is extended by order upon a showing of Central Vermont Public Service Corporation's inability in the exercise of due diligence to effect such disposition of said telephone business within the year.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-191; Filed, Jan. 3, 1945;  
11:53 a. m.]

<sup>1</sup> Section 11 (c) provides: (c) Any order under subsection (b) shall be complied with within one year from the date of such order; but the Commission shall, upon a showing (made before or after the entry of such order) that the applicant has been or will be unable in the exercise of due diligence to comply with such order within such time, extend such time for an additional period not exceeding one year if it finds such extension necessary or appropriate in the public interest or for the protection of investors or consumers.

<sup>2</sup> The Commission issued an order on May 25, 1944 (Holding Company Act Release No. 5064) granting American States and its subsidiaries an additional period of six months from April 9, 1944 within which to comply with its order of April 9, 1943, such extension to be without prejudice to the applicants to apply for an additional extension of time.

<sup>3</sup> American States Utilities Corporation, et al., — S. E. C. — (1943), Holding Company Act Release No. 4230.